

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1965

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 4, 1965



VOL. II

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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JOURNAL OF THE SENATE OF THE STATE OF ALABAMA REGULAR SESSION OF 1965

THIRTIETH LEGISLATIVE DAY

TUESDAY, AUGUST 3, 1965

The Senate met pursuant to adjournment, President Pro Tempore Hawkins presiding.

PRAYER

The Session was opened with prayer by the Reverend Lewis Marler, Minister, Ridgecrest Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson

—35

JOURNAL

On motion of Mr. Cooper, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. McCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Ninth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Robison (Pickens):

S. 573. To authorize defendants in actions on contracts or in tort in which the venue is improperly laid to recover punitive damages against any plaintiff's attorney who files such suit with knowledge beforehand of facts making such venue improper.

Committee on Judiciary.

By Mr. Hawkins:

S. 574. To alter and rearrange the boundaries and corporate limits of the Town of Glencoe, Alabama, so as to exclude and detach therefrom certain territory presently included in the corporate limits.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill substantially as follows shall be introduced and application for its passage made during the present session or any subsequent special session of the legislature of Alabama:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries and corporate limits of the Town of Glencoe, Alabama, so as to exclude and detach therefrom certain territory presently included in the corporate limits.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of The Town of Glencoe, Etowah County, Alabama, are hereby altered and rearranged, so as to detach and exclude therefrom the following described property which now lies within the corporate limits of the Town of Glencoe, to-wit:

Begin at the southwest corner of Section 21, Township 12 South, Range 7 East; thence in an easterly direction and along the south line of said Section 21 to a point on the east line of the $W\frac{1}{2}$ of the $W\frac{1}{2}$ of the $SW\frac{1}{4}$ - $SW\frac{1}{4}$ said Section 21; thence in a northerly direction and along the said east line to the north line of said $SW\frac{1}{4}$ - $SW\frac{1}{4}$; thence in an easterly direction and along the north line of said $SW\frac{1}{4}$ - $SW\frac{1}{4}$ to a point on the west line of the $E\frac{1}{2}$ of said $SW\frac{1}{4}$ - $SW\frac{1}{4}$; thence in a southerly direction and along the west line to the south line of said $SW\frac{1}{4}$ - $SW\frac{1}{4}$; thence in an easterly direction and along the south line of said $SW\frac{1}{4}$ - $SW\frac{1}{4}$ to the southeast corner thereof; thence in a southerly direction and along the west line of the $E\frac{1}{2}$ of the $NW\frac{1}{4}$, Section 28, to the southwest corner of the $SE\frac{1}{4}$ - $NW\frac{1}{4}$, said Section 28; thence in an

easterly direction and along the south line of said $SE\frac{1}{4}$ - $SW\frac{1}{4}$ to the southeast corner thereof; thence in a northerly direction and along the east line of said $SE\frac{1}{4}$ - $NW\frac{1}{4}$ to the northeast corner thereof; thence in an easterly direction and along the south line of the $N\frac{1}{2}$ of the $NE\frac{1}{4}$, Section 28, to the southeast corner of $NW\frac{1}{4}$ - $NE\frac{1}{4}$ Section 28; thence in a northerly direction and along the east line of said $NW\frac{1}{4}$ - $NE\frac{1}{4}$ and the east line of the $SW\frac{1}{4}$ - $SE\frac{1}{4}$ of Section 21 to the northeast corner of the $SW\frac{1}{4}$ - $SE\frac{1}{4}$ Section 21; thence in an easterly direction and along the south line of Fraction "A", Section 21 South of the Indian Boundary Line to the southeast corner thereof; thence in a northerly direction and along the east line of said Fraction "A" to the northeast corner thereof which is a point on the Indian Boundary Line; thence in a northwesterly direction and along the Indian Boundary Line to a point 472 feet southeast of the northwest corner of Fraction "B" South of the Indian Boundary Line; thence in a southeasterly direction and in a direct line a distance of 1678 feet to a point, said point being 595 feet east of the west line of the $NW\frac{1}{4}$ - $SE\frac{1}{4}$; thence in a westerly direction and parallel to the north line of said $NW\frac{1}{4}$ - $SE\frac{1}{4}$ to a point on said West line; thence in a northerly direction and along the west line of said $NW\frac{1}{4}$ - $SE\frac{1}{4}$ and the West line of Fraction "B", Section 21 to a point on the west line of Fraction "B", said point being 50 feet south of the northwest corner of Fraction "B"; thence in a northwesterly direction parallel to and 50 feet south of the Indian Boundary Line to a point on the west line of Fraction "C", Section 21; thence in a southerly direction and along the west line of Fraction "C" to a point, said point being 1320 feet north of the southeast corner of Fraction "D", Section 21; thence in a westerly direction and parallel to the south line of Fraction "D" to a point 589.3 feet east of the west line of Fraction "D"; thence in a southerly direction and parallel to the west line of Fraction "D" a distance of 400 feet; thence in a southwesterly direction and along the southeast side of R. A. Chapman property as recorded in Deed Record Book 835, page 683, to a point on the west line of Fraction "D", said point being 833 feet north of the southwest corner Fraction "D" and also being on the west line of Section 21; thence in a southerly direction and along the west line of Section 21 to the southwest corner thereof, which is the point of beginning; said description being in Sections 21 and 28, Township 12 South, Range 7 East in Etowah County, Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared I B Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of the a bill to be entitled and act, which notice was printed in The Gadsden Times in its regularly circulated editions on July 17-24-31, and Aug 2 1965, and that the

clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 2 day of Aug, 1965.

I. B. SCRUGGS.

Subscribed and sworn to before me on this the 2 day of Aug, 1965

WALTER BETZ,
Notary Public,
Etowah County, Alabama.

By Mr. Hawkins:

S. 575. To alter and rearrange the boundaries between the town of Glencoe and the city of Gadsden so as to detach certain territory from the town of Glencoe and annex the same to the city of Gadsden.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries between the town of Glencoe and the city of Gadsden so as to detach certain territory from the town of Glencoe and annex the same to the city of Gadsden.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary line between the town of Glencoe and the city of Gadsden in Etowah County shall be altered and rearranged so to incorporate within the city of Gadsden the following described territory which now lies within the corporate limits of the town of Glencoe, to-wit:

Begin at the Southwest corner of Fraction "K", Section 18, Township 12 South, Range 7 East, which is a point on the present Corporate Limits of Gadsden; thence in a Northerly direction and along the West line of fractions "K", "I", "H", and "G" of said Section 18 to the Northwest corner of said Fraction "G" which is also a point on the Northeast side of Kaying Road; thence in a Southeasterly direction and along the Northeast side of said Kaying Road to a point said point being the East line of Lot 1, Block 5 of Meadow Grove Acres as recorded in Plat Book "F", Pages 41 and 43 if extended in a Northerly direction in a direct line; thence in a Southerly direction and along said direct line and the East line of said Lot 1 to a point said point being the Northwest corner of Lot 40 in said Block 5; thence in a Northeasterly direction and along the Northwest line of said Lot 40 to the Northeast corner thereof; thence in a Southeasterly direction and along the East line of said Lot 40 to the Southeast corner thereof; thence in a Southerly direction and along the East line of Lots 40, 41, 42, 43,

44, 45, 46, 47, 48, 49, 50 and 51 of said Block 5 to the Southeast corner of said Lot 51; thence in a Westerly direction and along the South line of Lots 51 and 52 of said Block 5 to the Southwest corner of said Lot 52; thence in a Southerly direction and in a direct line to the Northwest corner of Block 6 of said Meadow Grove Acres; thence continue in a Southerly direction and along the West line of said Block 6 to a point on the Northwest corner of Lot 51 of said Block 6; thence in an Easterly direction and along the North line of Lots 51 and 46 of said Block 6 to the Northeast corner of said Lot 46; thence in a Southerly direction and along the East line of Lots 46 and 47 of said Block 6 to the Southeast corner of said Lot 47; thence in a Westerly direction and along the South line of Lots 47 and 48 of said Block 6 to the Southwest corner of said Lot 48; thence in a Southerly direction and in a direct line to the Northwest corner of Block 7 of said Meadow Grove Acres; thence continue in a Southerly direction and along the West line of said Block 7 to the Southwest corner of said Block 7 said point also being on the North line of Fraction "K" said Section 18 and being 356.4 feet East of the Northwest corner of said Fraction "K"; thence continue in a Southerly direction 356.4 feet East of and parallel to the West line of said Fraction "K" to a point on the South line of said Fraction "K" which is a point on the present Corporate Limits of the City of Gadsden; thence in a Westerly direction and along the Southline of said Fraction "K" and the present Gadsden Corporate Limit Line to the Southwest corner of said Fraction "K" which is the point of beginning and being in Section 18, Township 12 South, Range 7 East in Etowah County, Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and aproval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared I B Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of A bill to be entitled an act, which notice was printed in The Gadsden Times in its regularly circulated editions on July 17-24-31, and Aug 2 1965, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 2 day of Aug., 1965.

I. B. SCRUGGS.

Subscribed and sworn to before me on this the 2 day of Aug., 1965.

WALTER BETZ,
Notary Public,
Etowah County, Alabama.

By Mr. Roberts:

S. 576. To repeal as to all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, Act No. 344, S. 10, Regular Session 1951, entitled "An Act To provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not more than 400,000 inhabitants according to the last or any succeeding Federal Census; to provide for the claiming of statutory exemptions on such property; and to provide penalties for failure to comply with the provision of this Act."

Committee on Local Legislation.

By Mr. Roberts:

S. 577. To further amend Act No. 255, H. 313, approved June 24, 1943, (General Acts of Alabama, 1943, pp. 226-228), entitled "An Act to provide for the disposition and use of the profits, including all tax levied upon the selling prices of all spirituous or vinous liquors, less all cost and expense of collecting said tax, of the Alabama Liquor Stores operated under the Alcoholic Beverage Control Board of Alabama, as amended by Act No. 526, H. 545, approved August 24, 1951, (Acts of Alabama, 1951 pp. 915-918).

Committee on Finance and Taxation.

By Mr. Lolley:

S. 578. Relating to Coffee County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF COFFEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Coffee County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of registrars of Coffee County are relieved of the duty of visiting the precincts and voting places in the performance of their official duties as provided in Code of Alabama 1940, Title 17, Section 26 as amended; and in lieu thereof shall meet, for the purpose of registering voters, at each courthouse eleven days each, and in the other incorporated towns of the county eight days, dividing the eight days reasonably between such towns.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

STATE OF ALABAMA
COFFEE COUNTY

Manuel Segall, of said state and county, being first duly sworn, on his oath says:

That he is the publisher of The Enterprise Ledger, a weekly newspaper of general circulation, printed and published in the City of Enterprise in said county and state, and has been such during the time hereinafter mentioned, and that the advertisement headed "A Bill To Be Entitled An Act Pertaining To Board of Registrars" a printed copy of which is hereto attached, was printed and published in every copy of each issue of said newspaper for a period of 4 consecutive weeks, to-wit:

First Publication June 22, 1965

Second Publication June 29, 1965

Third Publication July 6, 1965

Fourth Publication July 13, 1965

MANUEL SEGALL,
Publisher.

Sworn to and subscribed before me this the 14th day of July, 1965.

ROY M. SHOFFNER,
Notary Public.

My commission expires: 3/1/67

By Mr. Wilson:

S. 579. Defining and regulating the practice of pharmacy and the management and operation of pharmacies in this State; establishing the State Board of Pharmacy; providing for the selection of its officers and members, prescribing their qualifications, powers and duties and providing for the operation, jurisdiction and authority of such Board; requiring a license to practice pharmacy, a permit to operate a pharmacy, and providing for the suspension and revocation thereof; prescribing the qualifications for licensure as a pharmacist, the registration and management of pharmacies and drug manufacturers; prescribing penalties repealing Chapter 12 of Title 46, Code of Alabama 1940, and all other conflicting laws.

Committee on Public Health.

By Mr. Wilson:

S. 580. To apply only in counties having populations of not less than 51,000 nor more than 56,000; to provide for additional compensation for the county comptroller.

Committee on Local Legislation.

By Mr. Tyson:

S. 581. For the relief of MRS. EMMA J. BRAY authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by MRS. BRAY on the Courthouse premises.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Mobile.

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of the State of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

For the relief of Mrs. Emma J. Bray, authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by Mrs. Bray on the Court-house premises.

Be It Enacted by the Legislature of Alabama:

Section 1: The County Commission of Mobile County is authorized to appropriate from the general funds of the County the sum of Two Thousand and No/100 (\$2,000) Dollars to Mrs. Emma J. Bray, a citizen of Mobile County, to compensate her for injuries received by her on April 6, 1964, when she slipped and fell on the steps of the Mobile County Courthouse under circumstances in which the County should, though not legally required to do so, pay her damages resulting from this injury.

Section 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is office manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register July 10, 17, 24, 31, 1965.

E. E. KOCH.

Sworn to and subscribed before me This 31 day of July, 1965.

ROSALIE PERGANTIS,
Notary Public.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Meade:

H. 16. To exempt from civil liability certain persons who render emergency care at the scene of an accident, casualty, or disaster.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 16. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owen:

H. 979. To arrange and designate the boundaries of Baldwin County and repeal conflicting laws.

Also:

By Messrs. Gilmore, Rast, Brown (Jefferson), Meeks, Morrow, Bailes, Vacca, Sessions and Bowers:

H. 1030. To provide that in every county of the State having a population of 500,000 or more, according to the last or any subsequent federal census, primaries for the nomination of candidates for certain offices, designated in this act, shall be held at the time specified in this act and the general election to fill such offices shall be held at the time specified in the act; to provide, with respect to such primaries, that the first primary shall be held on the first Tuesday following the 15th of July next preceding the general election of said officers and that the run-off primary, if necessary, shall be held on the fourth Tuesday following the first primary; to provide that the general election of each of such officers shall be held on the first Tuesday in the October next preceding the expiration of the term of the person then holding the office; to provide that this act shall apply to the offices held by the following: the Judges of the Circuit Court where only qualified electors of said county or only qualified electors of a part of said county are entitled to participate in the election of the Circuit Judges serving in the county; the Circuit Solicitor where only qualified electors of said county are entitled to participate in his election; the members of the governing body of the county; the Probate Judge; the Sheriff; the Tax Collector; the Tax Assessor; the County Treasurer; justices of the peace; constables; the deputy of any of the foregoing officers where such deputy is elected by the voters residing in a designated part of the county; any other county officer elected at or in an election at or in which only the qualified electors of said county or the qualified electors of a designated part of said county are entitled to vote; and any party officer elected at a primary election in which primary election of such party officer only the qualified electors of the county or a part of the county are entitled to vote.

Also:

By Mr. Sullivan:

H. 1022. To provide clerk-hire allowance for certain officers of all counties having populations of not less than 21,850 nor more than 21,950.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 979. To the Committee on Counties and County Boundaries.

H. B.'s 1030 and 1022. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Rast, Locke, Morrow, Vacca, Gilmore, Bailes, Etheredge, Bowers, Bethea (M), Meeks and Hawkins:

H. 893. To amend Sections 339, 340 and 342 of Title 52 of the Code of Alabama of 1940 relating to annual public school institutes for teachers in service and to repeal Sections 341, 343, 344, 345 and 346 of Title 52 of the Code of Alabama of 1940 relating to non-attendance of annual public school institutes for teachers in service and to the conduct of teachers conferences and institutes and recognition for attendance:

Also:

By Mr. Owen:

H. 902. To amend Section 521 of Title 37 of the Code of Alabama of 1940 so as to provide that a municipality need not advertise for bids from contractors, pursuant to the requirements of that section, with respect to construction to be performed, or labor, materials and services, or any of them, to be furnished, by the State of Alabama pursuant to contract between the said municipality and the state.

Also:

By Messrs. Callahan, Campbell (Tuscaloosa), Brown (Tuscaloosa) and Camp:

H. 740. To amend Section 552 of Title 51 of the Code of Alabama of 1940 as last amended.

Also:

By Mr. Goodwyn:

H. 670. To amend Section 289 of Title 14, Code of Alabama of 1940.

Also:

By Messrs. McDermott, Downing, Goldthwaite, Pierce, Nettles, Daniel, Jones (Monroe), Faulk, Grouby, Pennington, Burns, Fite, Engel, Hogan, Edington, Teel, Vacca, Brown (Jefferson) and Locke:

H. 834. To provide for appeals from judgments for contempt of court.

Also:

By Mr. Goodwyn:

H. 671. To amend Section 591, Title 51 of the Code of Alabama of 1940.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 893. To the Committee on Education.

H. B. 902. To the Committee on Municipalities and Municipal Organizations.

H. B. 740. To the Committee on Public Health.

H. B.'s 670, 834 and 671. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Cook:

H. 1080. To amend further Section 1 of Act No. 493 adopted at the 1955 Regular Session of the Legislature of Alabama as the same has been previously amended, relating to municipal public building authorities.

Also:

By Mr. Cooper:

H. 824. To amend further Section 89 and Section 90 of Title 36, Code of Alabama (1940), as amended, which limits the size and weight limits of motor vehicles and loads, and prescribes exemptions therefrom.

Also:

By Mr. Davis:

H. 579. To amend Section 13 of Title 48 of the Code of Alabama of 1940 dealing with the officers and employees of the Alabama Public Service Commission.

Also:

By Mr. McCorquodale:

H. 362. Relating to municipal corporations; to authorize municipalities to protect, maintain and care for ancient cemeteries or burial grounds, to grant permits for burial therein, and to define "ancient cemetery or burial ground."

Also:

By Mr. Drake:

H. 431. To provide for the placement of tail lamps upon motor vehicles.

Also:

By Messrs. Salter and Edwards (Escambia):

H. 588. To redivide the State into judicial circuits so as to create the Thirty-fifth Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 1080 and 362. To the Committee on Municipalities and Municipal Organizations.

H. B.'s 824 and 431. To the Committee on Judiciary.

H. B.'s 579 and 588. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 38. To amend Section 81 of Title 5 of the Code of Alabama of 1940.

Also:

S. 100. Proposing an amendment to the Constitution relative to state income taxes.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Carr:

H. 299. To propose an amendment to the Constitution of Alabama; establishing a game and fish fund in the State Treasury and requiring that certain monies be placed therein; to prohibit the diversion of any monies in said fund for any purposes other than the administration of the game and fish activities of the Department of Conservation and for the protection, propagation, preservation, investigation of game and fish and the public use of the game and fish resources of this State.

Also:

By Messrs. Casey, Nabors, Collins (Jefferson), Pierce, Burnham, Ingram, NeSmith, Burns, Owens, Drake, Bevill, Bailes, Meade, Fite and Hester:

H. 25. To provide for the RIGHT TO VOTE on the candidates for president and vice-president of the United States by a popular vote of the voters of Alabama; amending Code of Alabama 1940, Title 17, Sections 145, 222, 224, 225.

Also:

By Messrs. Cates, Davis and Etheredge:

H. 692. To provide for a special low-cost hunting license for residents of this State who are 65 years of age or older; to provide for the disposition of the proceeds thereof.

Also:

By Messrs. Cates and Davis:

H. 693. To levy and impose a special license for hunting deer and wild turkeys on State operated Wildlife Management Areas; exempting

persons 65 or older; providing for use of the proceeds thereof; prescribing a penalty for violations of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 299 and 25. To the Committee on Constitution, Constitutional Revision and Amendments.

H. B.'s 692 and 693. To the Committee on Finance and Taxation.

(The above numbered Bill, H. B. 299, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Bailes, NeSmith, Etheredge, Brown (Jefferson), Nabors, Burns, Owens, Dominick, Slate, Turner (Limestone), Cantrell, Campbell (Tuscaloosa), Bolton, Fite, Hester, Downing, Collins (Mobile), Collins (Jefferson), Callahan, Beville, Casey, Drake, Sullivan, Holladay, McDermott, Hogan, Vacca, Gilmore and Meeks:

H. 100. To amend further Code of Alabama 1940, Title 17, Section 145, which relates to elections.

Also:

By Messrs. Avery, Nettles, Young, Bowers, Tuck, Meade, Collins (Jefferson), Barnett, Sullivan, McCorquodale, NeSmith and Davis:

H. 79. Relating to boards of registrars; further providing for the compensation of members; further amending Act No. 531, S. 101, Regular Session 1947 (General Acts of Alabama 1947, p. 388).

Also:

By Messrs. Downing, Engel, McDermott, Hogan, Rogers, Smith, Collins (Mobile), Owen, Edwards (Escambia), Wood, Edington, Nettles, Daniel, Pierce, Glass, Posey and Hester:

H. 664. Relating to elections; authorizing and providing for absentee voting by seamen, sailors, and mariners.

Also:

By Mr. Jones (Covington):

H. 47. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601) which provides for absentee voting in primary, general, special and municipal elections.

Also:

By Messrs. Posey, Boston, Turner (Crenshaw), Hannah, Drake, Thomas, Fite and Moore:

H. 896. To amend further Act No. 382, H. 834, approved September 9, 1955, an act authorizing the director of the highway department to issue

special permits for movement of certain oversize vehicles on public highways (Acts 1955, p. 916).

Also:

By Messrs. Hester, Burnham, Turner (Crenshaw), Cates, Burns and Meade:

H. 609. To propose an amendment to the Constitution of Alabama relative to exemptions from the poll tax.

Also:

By Messrs. Callahan, Campbell (Tuscaloosa) and Brown (Tuscaloosa):

H. 970. To amend Section 509 sub-section 23 of Title 52 of the Code of Alabama of 1940 as recompiled (Pertaining to State Fire College Advisory Committee).

Also:

By Messrs. Albea, Burnham, Merrill, Burns, Camp, Powell, Meade, Casey, Nabors, Owens, Drake, Jones (Covington), Turner (Crenshaw), Pennington, Moore, Campbell (Jackson), Bassett, Grouby, Harper, Baker (DeKalb), Little, Goldthwaite, Engel, McDermott, Slate, Bowers, Bolton, Campbell (Tuscaloosa), Carr, Collins (Mobile), Crawford, Daniel, Davis, Doggett, Edington, Rast, Hawkins, Heflin, Hester, Hogan, Holladay, Ingram, Jones (Monroe), Locke, NeSmith, Nettles, Owen, Posey, Reynolds, Smith, Snell, Sullivan and Tuck:

H. 11. To exempt certain volunteer rescue squads from payment of licenses and registration fees and ad valorem taxes on vehicles used exclusively as life saving, rescue or first aid vehicles; and to provide for the issuance of special tags for such vehicles.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 100, 896 and 970. To the Committee on Judiciary.

H. B.'s 79 and 11. To the Committee on Finance and Taxation.

H. B.'s 664 and 47. To the Committee on Privileges and Elections.

H. B. 609. To the Committee on Constitution, Constitutional Revision and Amendments.

(The above numbered Bill, H. B. 609, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Bailes, Etheredge, Bowers, Rast, Dominick, Brown (Jefferson), Meeks, Gilmore, Vacca, Bethea (M) and Collins (Jefferson):

H. 770. To make an appropriation from the state treasury for support and maintenance of certain special classes for children.

Also:

By Messrs. Perry and Rast:

H. 931. To amend Section 1 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, linen rental processing and storage facilities and so as to restore certain portions of said Section 1 inadvertently omitted therefrom by the most recent amendment thereof (Act No. 164 enacted at the 1964 Special Session), to restore certain other changes omitted by said amendment and to correct certain technical errors made by said amendment.

Also:

By Mr. Blanton:

H. 846. Relating to employment of handicapped persons in state service; providing preference for such persons in civil-service employment.

Also:

By Messrs. Boston, Goodwyn and Hannah:

H. 835. To amend further Code of Alabama 1940, Title 45, Section 32, in relation to the sentencing of convicts to imprisonment in the penitentiary.

Also:

By Messrs. Bowers, Camp, Brown (Jefferson), Dominick, Rast, Morrow, Perry, Bailes, Bethea (M), Hester, Sessions, Vacca, Gilmore and Meeks:

H. 963. To amend Sections 3 and 6 of Act No. 249, H. 300, Regular Session 1955, (Acts 1955, V. I, p. 591), an Act relating to the education of exceptional children, so as to include emotionally disturbed children within the provisions of this Act.

Also:

By Messrs. Bowers, Camp, Brown (Jefferson), Dominick, Rast, Morrow, Perry, Bailes, Bethea (M), Hester, Sessions, Vacca, Gilmore and Meeks:

H. 964. To provide for the education of exceptional children who are emotionally disturbed; to authorize funds heretofore or hereafter appropriated for the education of exceptional children or trainable retarded children to be allocated and used for the education of such emotionally disturbed children.

Also:

By Messrs. Branyon, Campbell (Tuscaloosa), Hankins and Avery:

H. 264. To amend further Title 34, Sections 27 and 29, Code of Alabama 1940, both of which relate to period of residence requirements in divorce suits.

Also:

By Messrs. Brown (Tuscaloosa), Camp and Callahan:

H. 338. To amend further the Act known as the "Alabama G. I. and Dependents' Educational Benefit Act," in relation to benefits provided wives and children of certain disabled veterans.

Also:

By Mr. Bevill:

H. 959. To provide for payment by the State of expenses accrued in the several counties in relation to the constitutional amendment election called for Tuesday, August 3, 1965.

Also:

By Mr. Salter:

H. 28. To amend Section 492 of Title 2 of the Code of Alabama of 1940 relating to the expenditure of funds for compiling agricultural statistics.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 770, 338, 959 and 28. To the Committee on Finance and Taxation.

H. B.'s 931, 835 and 264. To the Committee on Judiciary.

H. B.'s 846, 963 and 964. To the Committee on Public Welfare and Correctional Institutions.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 256. To alter, rearrange and extend the boundaries and corporate limits of the City of Huntsville so as to annex certain territory to the city.

Also:

S. 348. To amend Section 1, Act No. 22, H. 108, First Special Session 1964, an act providing supplementary salaries for judges of the circuit court in judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 (Acts 1964, p. 43).

Also.

S. 369. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

Also:

S. 372. To apply only in counties having populations of not less than 19,000 nor more than 19,500; to provide that the county governing body of any such county may authorize the tax collector to send taxpayers notices of taxes due and receipts for taxes paid; to provide that expenses incurred in the sending of such notices and receipts shall be paid from the general fund of the county.

Also:

S. 396. To amend Section 1, Act No. 11, S. 59, Regular Session 1959, an act fixing the compensation of certain officers of Dallas County.

Also:

S. 406. To provide an expense allowance payable from the county treasury to the circuit judges in all judicial circuits composed of only one county which has a population of not less than 65,000 nor more than 95,000.

Also:

S. 399. To alter or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

S. 407. To provide allowances for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 65,000 nor more than 95,000.

Also:

S. 408. To provide for the employment of additional deputies of the sheriff for Wilcox County.

Also:

S. 419. To alter or re-arrange the boundary lines of the City of Childersburg, Talladega County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Talladega County, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owen:

H. 576. To provide for a fund for the management and supervision of offshore seismic and geophysical crews by the Division of Seafoods, Department of Conservation, and to provide for the expenditure of such monies.

Also:

By Messrs. Engel and Brewer:

H. 1016. Proposing an amendment to the Constitution of Alabama relative to the designation and name of the office of circuit solicitor.

Also:

By Mr. Etheredge:

H. 622. To provide for the service of process in civil suits upon nonresident operators or nonresident owners of boats, ships, barges and

other water craft which are operated, navigated or maintained in the state.

Also:

By Messrs. Steagall, Hain and Blanton:

H. 374. To dispense with a Jury verdict in all Criminal Cases where the defendant has been indicted by a Grand Jury and provide for the Court to fix the punishment in such cases where defendants, after having had the advice of counsel, plead guilty in open Court to the commission of an offense embraced in the Indictment.

Also:

By Mr. Etheredge:

H. 621. Relating to civil remedies and procedures; providing further for determination of rights and liabilities connected with or growing out of or related to a cause of action in one suit or proceeding by authorizing and regulating filing of cross-claims and providing for third party practice in civil actions at law.

Also:

By Messrs. Turner (Crenshaw), Barnett, Young, Bolton, Camp, Salter, Cates, Avery, Bassett, Heflin, Stembridge, Owen, Edwards (Lowndes) and Doggett:

H. 912. To amend Sections 207, 208, and 218, of Title 22 and to add Section 207(1) to Title 22 of the Code of Alabama of 1940, as amended, relating to Milk Control Board.

Also:

By Messrs. Jones (Covington), Bowers, Teel, Stembridge, Paulk, Wood, Davis, Moore, Cantrell, Gilmore, Brown (Jefferson), Daniel, Heflin, Edwards (Escambia), Edwards (Lowndes), Bassett, Turnham, Cooper, Crawford, Grouby, Cook, Burns, Tuck, Avery, Branyon, Hankins, Sullivan, Carr, Slate, Hannah, Boston, Doggett, Steagall and Goodwyn:

H. 1029. To amend Section 1 of Act No. 436, H. 709, Regular Session 1949, an Act relating to the powers and authority of the Board of Commissioners of the State Bar.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 576. To the Committee on Finance and Taxation.

H. B. 1016. To the Committee on Constitution, Constitutional Revision and Amendments.

H. B.'s 622, 374, 621 and 1029. To the Committee on Judiciary.

H. B. 912. To the Committee on Agriculture.

(The above numbered Bill, H. B. 1016, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hain:

H. 473. To authorize the solicitor of the Fourth Judicial Circuit of Alabama to appoint and employ a secretary, whose compensation shall be payable from the circuit solicitor's fund.

Also:

By Mr. Hain:

H. 474. To provide an expense supplement for the circuit solicitor of the Fourth Judicial Circuit of Alabama, payable from the solicitor's fund.

Also:

By Messrs. Goldthwaite, Pierce, Goodwyn and Little:

H. 972. To require the installation and maintenance of an improved system of indexing and recording documents affecting the title to property and other documents and recorded in the office of the Judge of Probate of any county having a population of not less than 125,000 nor more than 200,000 inhabitants according to the last or any subsequent federal census; to provide that said system shall constitute official and permanent records in each such county; to provide for a special recording fee of \$1.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in each such county; to provide for financing the initial installation of said system out of the said special recording fees and by the sale and issuance by each such county of its interest bearing warrants in anticipation of and payable solely out of said special recording fees; to require each such county to issue such warrants in an amount sufficient, when added to said special recording fees then on hand, to pay the costs of such initial installation; to authorize each such county to issue warrants in anticipation of and payable solely out of said special recording fees for the purpose of refunding any warrants issued hereunder; to authorize said special recording fees to be pledged for payment of the principal of and interest on any warrants issued hereunder; to provide that such warrants and the income therefrom shall be exempt from taxation and that such warrants may be used for investment of trust funds.

By Mr. Campbell (Jackson):

H. 998. Relating to Jackson County; levying a license tax on persons and others engaged in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended;

providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA COUNTY OF JACKSON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Jackson County; levying a license tax on persons and others engaged in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Meaning of Terms Used in This Act. The following words, terms and phrases where used in this Act shall have the following respective meanings, except where the context clearly indicates a

different meaning: "this State" means the State of Alabama; "Jackson County" means Jackson County in this State; "State Sales Tax statutes" means Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama; "State Sales Tax" means the tax imposed by the State Sales Tax statutes; "State Use Tax statutes" means Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940 as the said Article 11 has been amended; "State Use Tax" means the tax imposed by the State Use Tax statutes; "registered sellers" means the person registered with the State Department of Revenue pursuant to Section 790 of Title 51 of said Code, as heretofore amended; "month" means a calendar month; "quarterly period" means the period of three months ending on the last day of each March, June, September, or December; "fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year. In addition to the foregoing definitions, all words, terms and phrases that are defined in the State Sales Tax statutes or in the State Use Tax statutes shall, where used in this Act, have the meanings respectively ascribed to them in the State Sales Tax statutes or in the State Use Tax statutes, as the case may be, except where the context herein clearly indicates a different meaning.

Section 2. Levy of License Tax Measured by Gross Sales or Gross Receipts. There is hereby levied in Jackson County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation engaged or continuing within Jackson County, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debts or stocks), an amount equal to one per cent (1%) of the gross proceeds of sales of the business except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business;

(b) Upon every person, firm or corporation engaged or continuing, within Jackson County, in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within this State, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Jackson County, an amount equal to one per cent (1%) of the gross receipts of any such business:

Provided, that there are exempted from the provisions of this Section and from the computation of the amount of the tax imposed in this

Section the gross receipts of any business and the gross proceeds of all sales which are exempted under the State Sales Tax, statutes from computation of the amount of the State Sales Tax; and there are likewise exempted the gross proceeds of sales of automotive vehicles, truck trailers and semi-trailers, machines and machinery used in the mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines and machinery and the attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and machinery and are customarily used in the operation thereof.

Section 3. Levy of Excise Tax on Use, Storage and Consumption of Tangible Personality. An excise tax is hereby imposed on the storage, use or other consumption in Jackson County of tangible personal property purchased at retail, on or after the first day of October, 1965, for storage, use or other consumption in Jackson County, at the rate of one per cent (1%) of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Jackson County or in this State; provided, however, that there are exempted from the provisions of this Section and the tax imposed in this Section the storage, use or other consumption of property the storage, use or other consumption of which are exempted under the State Use Tax statutes from the State Use Tax; and there are likewise exempted from the storage, use or other consumption of any automotive vehicle, truck trailer or semi-trailer purchased at retail, and any machine or machinery used in mining, quarrying, compounding, processing or manufacturing of tangible personal property, including the parts of such machines or machinery and attachments and replacements therefor. Subject to the exemptions provided for in the preceding sentence, every person storing, using or otherwise consuming in Jackson County tangible personal property purchased at retail shall be liable for the tax imposed by this Section, and the liability shall not be extinguished until the said tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given, pursuant to Section 5 of this Act, to the purchaser of any property to be used, stored or consumed in Jackson County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 4. Due Dates and Payment of, and Reports Respecting, the Taxes herein Levied. All taxes levied in this Act shall be paid to and collected by the State Department of Revenue at the same time and along with the collection of the State Sales Tax and the State Use Tax. On or prior to the due dates of the taxes herein levied each person subject to said taxes shall file with the State Department of Revenue a report or return in such form as may be prescribed by the department, setting forth, with respect to all sales and business that are provided in Section 2 hereof to be used as a measurement of the tax levied in said Section 2, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 3, hereof, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax imposed by said Section 3 during the then preceding quarterly period; provided, however, that said reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the State Department of Revenue may require. Any person subject to the taxes levied in Section 2 hereof may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the State Department of Revenue under this section shall be available for inspection by the governing body of Jackson County, or its designated agent, at reasonable times during business hours.

Section 5. Collection, Payment and Report by Registered Sellers of Tax Levied in Section 3 hereof. Every registered seller regularly and continually making sales of tangible personal property for storage, use or other consumption in Jackson County (which storage, use or other consumption is not herein exempted from the tax imposed in Section 3 hereof) shall at the time of making such sales or, if the storage, use or other consumption of such tangible personal property in Jackson County is not then taxable under this Act, at the time such storage, use or other consumption becomes taxable hereunder, collect the tax imposed by Section 2 of this Act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the State Department of Revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the State Department of Revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales price of the tangible personal property sold by such registered seller, the storage, use or other consumption of which became subject to the tax imposed by Section 3 of this Act during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period covered by the return; provided that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage or other consumption of tangible personal property in Jackson County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage, use or other consumption of which is subject to the tax imposed by Section 3 of this Act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4 hereof.

Section 6. Tax to be Passed on to Purchaser, User or Consumer. Each person engaging or continuing within Jackson County in a business subject to the taxes levied in Section 2 of this Act shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes levied in said Section 2; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required by Section 5 hereof to collect. It shall be unlawful for any person subject to the tax levied in said Section 2 to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed by Section 3 of this Act or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 7. Enforcement and Collection of Taxes herein Levied; Taxes Constitute a Lien on Property of Persons from Whom Due. The taxes imposed by this Act shall constitute a debt due Jackson County and may be collected by civil suit, in addition to all other methods pro-

vided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All of the provisions of the revenue laws of this State which apply to the enforcement of liens for license taxes due this State shall apply fully to the collection of the taxes herein levied, and the State Department of Revenue, for the use and benefit of Jackson County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this State or the department has for collection of the State Sales Tax and the State Use Tax. The State Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and to otherwise enforce the provisions of this Act, including any litigation involving this Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Jackson County.

Section 8. Adoption by Reference of State Sales Tax Statutes and State Use Tax Statutes, where Applicable. All provisions of the State Sales Tax statutes with respect to payment, assessment and collection of the State Sales Tax, making of monthly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the State Sales Tax statutes, the promulgation of rules and regulations with respect to the State Sales Tax, and the administration and enforcement of the State Sales Tax, and the administration and enforcement of the State Sales Tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 2 hereof, shall apply to the tax levied in the said Section 2; and all provisions of the State Use Tax statutes with respect to payment, assessment and collection of the State Use Tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the State Use Tax statutes, the promulgation of rules and regulations with respect to the State Use Tax, and the administration and enforcement of the State Use Tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 3 hereof, shall apply to the tax levied in the said Section 3. The State Commissioner of Revenue and the State Department of Revenue shall have and exercise all of the same powers, duties and obligations with respect to the taxes levied in Section 2 and 3 hereof that are imposed on the commissioner and the department, respectively, by the State Sales Tax statutes and the State Use Tax statutes. All provisions of the State Sales Tax statutes and the State Use Tax statutes that are made applicable in his Act to the taxes herein levied and to the administration of this Act are hereby incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 9. Discounts allowed Retailers and Registered Sellers. Each person subject to the license tax provided for in Section 2 hereof shall be allowed and may retain, out of the taxes levied by said Section 2 and payable by such retailer, a discount equal to two per cent (2%) thereof. Each registered seller shall be allowed and may retain, out of the taxes herein required to be collected by such registered seller, a discount equal to three per cent (3%) thereof.

Section 10. Disposition of Revenues from Taxes herein Levied. The State Department of Revenue shall charge Jackson County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue, and the governing body of the county, but such charge shall not in any event exceed three per cent of the total amount of special county taxes

collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Jackson County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Jackson County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public funds of the Jackson County Board of Education in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public funds of the Jackson County Board of Education shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other county funds, and shall maintain separate records of such special account. The net revenue derived by Jackson County from the taxes levied in this Act shall be used exclusively for educational purposes by the Jackson County Board of Education within Jackson County; provided, however, that such revenue shall not be used for the payment of salaries for teachers.

Section 11. Severability Clause. In the event any section, sentence, clause or portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this Act, which shall continue effective.

Section 12. Repealer. All laws or parts of laws which conflict with this Act are repealed.

Section 13. Effective Date of Act. This Act shall become effective October 1, 1965.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel-Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1965.

FRED J. BUCHHEIT.

Sworn to and subscribed before me July 16, 1965.

EVELYN TUBBS,
Notary Public.

Also:

By Messrs. Merrill, Albea and Burnham:

H. 1032. To prohibit the commissioner of licenses in all counties having a population of not less than 76,000 and not more than 96,000 from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit; and repealing conflicting laws.

Also:

By Mr. Meade:

H. 1033. To amend Section 2 of Act No. 261, H. 808, approved August 23, 1955, an act relating to the construction, maintenance and repair of county roads and bridges in Cherokee County (Acts 1955, Vol. 1, p. 606), in relation to the authority of the county governing body to determine, subject to the approval of the state highway department, which new county roads and bridges are to be built within the county.

With notice and proof thereto attached and herewith exhibited as follows:

A Bill to be entitled an act

To amend Section 2 of Act No. 261, H. 808, approved August 23, 1955, an act relating to the construction, maintenance and repair of county roads and bridges in Cherokee County (Acts 1955, Vol. 1 p. 606), in relation to the authority of the county governing body to determine, subject to the approval of the state highway department, which new county roads and bridges are to be built within the county.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 261 H. 808, approved August 23, 1955, an act relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County (Acts 1955, Vol. I, p. 606), is hereby amended to read as follows:

"Section 2. The County governing body of Cherokee County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

"(a) To levy road and bridge taxes and to appropriate money or the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the State;

"(b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, **for the purpose of constructing, maintaining and repairing county roads and bridges** to the same extent as it may presently do so under the laws of the State;

"(c) To exercise, subject to the approval of the State Highway Department the right of eminent domain for the purpose of acquiring right-of-way for the establishment and changing county roads and bridges in the manner presently provided by law.

"(d) To determine, subject to the approval of the president or chairman of the county governing body and members of the county's delegation in the State Legislature, which new county roads and bridges are to be built within the county."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5-26-65, 6-2-65, 6-9-65, and 6-16, all in the year 1965.

JOE SHAW, JR.

Sworn to and subscribed before me July 9, 1965.

FAYRENE D. CHAMBLESS,
Notary Public.

Also:

By Mr. Meade:

H. 1034. To amend Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, to provide that it shall not be a requirement that the person appointed to fill a vacancy in the office of the Judge of the Cherokee County Court be an elector of Cherokee County, Alabama, but to require him to reside within the county during his term of office.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following local bill or substance thereof will be introduced at the present Session of the Legislature of Alabama, and application made for passage of said local bill.

A BILL TO BE ENTITLED AN ACT to amend Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, to provide that it shall not be a requirement that the person appointed to fill a vacancy in the office of the Judge of the Cherokee County Court be an elector of Cherokee County, Alabama, but to require him to reside within the County during his term of office.

Be It Enacted by the Legislature of Alabama:

SECTION 1. Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, which act created the Cherokee County Court, is hereby amended as follows: Section 20. It shall not be a requirement for any person appointed to fill a vacancy in the office of Judge of the Cherokee County Court that such person so appointed be a qualified elector of Cherokee County, Alabama. However, any person so appointed as Judge of said Court must reside in Cherokee County, Alabama during his term of office.

SECTION 2: All other provisions of the said act not in conflict herewith shall remain in full force and effect.

SECTION 3: This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Lois M. (Sisk) Fleming a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of bill on Judge Cherokee County Court as published in said newspaper once a week for four consecutive weeks, 6-23-65, 6-30-65, 7-7-65, 7-14-65, beginning on the 23rd day of June, 1965, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 21st day of July, 1965.

LOIS M. FLEMING,
Notary Public.

Also:

By Mr. Meade:

H. 1035. Relating to Cherokee County; fixing the compensation of certain county officers; further amending Act No. 162, S. 210, Regular Session 1943 (Local Acts 1943, page 78), as amended.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cherokee County; fixing the compensation of certain county officers; further amending Act No. 162, S. 210, Regular Session 1943 (Local Acts 1943, page 78), as amended.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 162, S. 210, Regular Session 1943 (Local Acts 1943, p. 78) is further amended to read as follows:

"Section 1. That comencing at the beginning of their next term of office the salaries of the following named officers of Cherokee County, Alabama, shall be as follows per annum net:

"Judge of Probate—\$7,200.00; Clerk of the Circuit Court—\$6,000; Tax Collector—\$6,000; Tax Assessor—\$6,000; Sheriff—\$6,000; Register in Chancery—\$3,600.00.

"The said annual salary or compensation of each of said officers shall be paid out of the county treasury in equal monthly installments at the end of each month, upon warrants drawn in the same manner as em-

ployees of Cherokee County are paid. It is further provided that the tax assessor and the tax collector shall not be required to make the rounds required to be made in Section 38, Title 51, Code of Alabama 1940."

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Lois M. (Sisk) Fleming a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of A bill to be entitled an Act as published in said newspaper once a week for four consecutive weeks, 6-23-65, 6-30-65, 7-7-65, 7-14-65, beginning on the 23rd day of June, 1965, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 21st day of July, 1965.

LOIS M. FLEMING,
Notary Public.

Also:

By Mr. Meade:

H. 1036. To amend Section 1 of Act No. 143, Acts of Alabama 1963, Volume 1, page 519, relating to the compensation of clerks, deputies and assistants to the circuit clerk of Cherokee County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN that the following local bill or the substance thereof will be introduced at the present session of the Legislature of Alabama and application for passage made therefor.

A BILL TO BE ENTITLED AN ACT to amend Section 1 of Act No. 143, Acts of Alabama 1963, Volume 1 Page 519, relating to the compensation of clerks, deputies and assistants to the circuit clerk of Cherokee County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1: Section 1 of Act No. 143, Acts of Alabama 1963, Volume 1 Page 519, is hereby amended to read as follows:

Section 1. The board of revenue or other like governing body of Cherokee County is required, authorized and empowered to provide sufficient clerks, deputies and assistants to the circuit clerk of Cherokee County, but the circuit clerk shall select the said clerks, deputies and other assistants and shall fix their compensation, subject to the prior approval of the board of revenue of Cherokee County, Alabama. The circuit clerk shall have the right to discharge the said clerks, deputies, and assistants at will. The salary or compensation of the clerks, deputies and assistants shall be paid in equal monthly installments out of the general fund of Cherokee County upon separate warrants drawn in the same manner as other employees of Cherokee County are paid.

Section 2. This Act shall become effective immediately upon its passage and approval of the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Lois M. (Sisk) Fleming a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of A bill to be entitled an Act as published in said newspaper once a week for four consecutive weeks, 6-30-65, 7-7-65, 7-14-65, 7-21-65, beginning on the 30th day of June, 1965, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 21st day of July, 1965.

LOIS M. FLEMING,
Notary Public.

Also:

By Mr. Heflin:

H. 1038. To establish a Law and Equity Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties, and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation, and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Chilton County Law and Equity Court, Probate Court, and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the Chilton County Law and Equity Court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
CHILTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and an application for its passage and enactment will be made, to-wit:

AN ACT

To establish a Law and Equity Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers & appointment, election, terms of office, powers, duties, and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation, and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes

and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Chilton County Law and Equity Court, Probate Court, and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the Chilton County Law and Equity Court.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That there be and hereby is created and established in and for the County of Chilton, Alabama, a Law and Equity Court which shall be called the "Law and Equity Court of Chilton County, Alabama," which shall be a Court of record and which shall have and exercise concurrent jurisdiction, authority, functions and powers now conferred or which may be hereafter conferred upon the several Circuit Courts of the State of Alabama, provided, however, that the Law and Equity Court of Chilton County, Alabama, shall not have final jurisdiction to try persons indicted and charged with felonies, nor organize and impanel a Grand Jury, nor have Civil jurisdiction on the law side of said Court of causes over \$1,000.00, exclusive of interest and costs; and with no right to a Jury trial, except in equity cases, or other causes, where a jury trial is a matter of right. Said Law and Equity Court of Chilton County, Alabama, shall have concurrent jurisdiction with the Justices of the Peace in Chilton County, Alabama, in all matters whatsoever, including preliminary hearing of persons charged with a felony.

SECTION 2. That the Honorable Robert L. Bowers, who was elected to the office of the Judge of the Chilton County Law and Equity Court, and who is now serving as Judge of said Chilton Co. Law & Equity Court shall hold the office and be the Judge of the Law and Equity Court of Chilton County, Alabama, created by this Act, until the second Tuesday after the first Monday in January, 1969, and until his successor shall be elected and qualified. A Judge of the said Law and Equity Court of Chilton County, Alabama shall be elected by the qualified electors of Chilton County, Alabama, at the general election to be held in 1968 and each four years thereafter and the term of the Judge of said Court shall commence on the second Tuesday after the first Monday in January, following his election and shall continue for a period of four years and until his successor shall be elected and qualified. The Judge of said Court, before entering upon the duties of said office, shall take the oath required by law to be taken by Judges of the Circuit Courts of Alabama. That said Judge shall be a qualified elector of Chilton County, Alabama, and shall be learned in the law and shall be a member of the Alabama Bar in good standing and shall be not less than 25 years of age. Said Judge may be removed from office in the same manner and for the causes now provided by law for the removal of Circuit Judges.

SECTION 3. Vacancies in the office of the Judge of said Court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and law of this State.

SECTION 4. That the Clerk of the Circuit Court of Chilton County, Alabama, shall be Ex-Officio Clerk of the Law and Equity Court of Chilton County, Alabama, and shall have the same powers and discharge the same duties as clerks of the Circuit Courts, and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, commissions and emoluments as are now, or as may hereafter be, allowed to Circuit Court Clerks as provided in Code of Alabama 1940, Title 11, Section 21, and Act No. 741, S. 307, Regular Session 1957 (Title 11, Section 89 (2), Recomplied Code

1958), and the same shall be collected as such fees and commissions are collected in the Circuit Courts; and said Clerk shall exercise the same powers and perform the same duties as are exercised and performed in the Circuit Court. The Register of the Circuit Court in Equity shall be Ex-Officio Register of the Law and Equity Court of Chilton County, Alabama, and shall have the powers and discharge the duties which shall devolve upon the Register of the Law and Equity Court of Chilton County, Alabama, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees and commissions as are now, or as may here after be allowed to the Register of the Circuit Courts in Equity, and the same shall be collected as such fees are collected in Circuit Courts.

SECTION 5. That the Judge of said Law and Equity Court of Chilton County, Alabama, shall receive a salary of not less than \$9,600.00 per annum payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

SECTION 6. That Honorable Lawrence F. Gerald, Jr., Deputy Solicitor of Chilton County, Alabama, who was elected to said office at the general election held in 1962, shall be the Solicitor of the Law and Equity Court of Chilton County, Alabama, during the term of office for which he was elected at said election, and there after the duly elected Deputy Solicitor of Chilton County, Alabama, shall be the Solicitor of the said Law and Equity Court of Chilton County, Alabama, and all solicitor's fees taxed and collected in said Court shall be paid into the county treasury of Chilton County, Alabama, for the benefit of the general fund of said county, or such other fund or funds as may hereafter be provided.

It shall be the duty of said Solicitor to prosecute all criminal causes pending in said Court, and to assist the Judge of the Court in the handling of Juvenile cases, upon the request of the Judge or the Department of Pensions and Security and for the extra duties required of the Deputy Solicitor he shall be paid \$100.00 per month, in addition to the salary now paid him and it shall be the duty of the Board of Revenue and Control of Chilton County, Alabama, to pay said extra compensation to the Deputy Solicitor at the end of each month, taking his receipt for the same.

SECTION 7. That the said Law and Equity Court of Chilton County, Alabama, shall be held at the Courthouse of Chilton County, Alabama, and that said Court shall be open at all times for the trial of cases and transaction of business. In the case of sickness or disqualification of the Judge of said Court, the law applicable to the appointment and service of special Judges in the Circuit Court shall apply, and said special Judge shall receive the same pay as the special Circuit Judges receive for their services, and the same to be paid out of the general funds of Chilton County, Alabama, on the certificate of the Clerk or the Register making the appointment. **The Judge of said Court shall be subject to the same penalties for failure to attend upon the Court as are Circuit Judges of this State.** The Judge of said Court shall keep an office in the Courthouse of Chilton County, Alabama, or such other suitable place as may be provided by the Board of Revenue and Control of Chilton County, Alabama, and it shall be the duty of the Board of Revenue and Control of Chilton County, Alabama, to provide such office and to supply the same with all furnishings, fixtures, equipment, library, stationery, telephone and other supplies necessary to enable the Judge of said Court to efficiently conduct the affairs of his office.

SECTION 8. A session of said Court for the trial of Criminal cases shall be held on the first Monday of each month and at such time as the

Judge of said Court may order. A session of said Court for the trial of civil cases shall be held on the second Monday in January, April, July, and October of each year. A session of said Court for the trial of Equity cases shall be held on the fourth Monday in January, April, July, and October. The Judge of said Court may call a special session for the trial of any cases pending on the dockets of said Court, as is provided or may hereafter be provided by law for the calling of special sessions for the trial of causes in the Circuit Court.

SECTION 9. Any party feeling aggrieved from the judgment of said Court rendered in any civil cause, may appeal from said judgment to the Circuit Court of Chilton Co., Alabama, by giving security for the costs, the same to be approved by the Clerk or the Judge of said Law and Equity Court of Chilton County, Alabama, or if the party desiring to appeal, wishes to supersede the judgment of said Court, then he may give the security for the cost, and a supersedeas bond in double the amount of the judgment, to be approved by the Judge or Clerk of said Court. All appeals from the judgments in Civil causes in said Court shall be taken to the Circuit Court within thirty days after the rendition of the judgment, and all appeals taken from said Court shall be tried de novo in the Circuit Court in any case appealed from said Court to the Circuit Court. The appellant, within ten days after the perfection of his appeal, and the appellee, within ten days after notice of appeal is served on him may have the issues of fact tried by jury in the Circuit Court by filing with the Circuit Court a written demand for a trial of said cause by a jury.

SECTION 10. In all criminal cases of conviction in said Law and Equity Court of Chilton County, Alabama, the defendant shall have the right of appeal to the Circuit Court of Chilton County, on entering into bond, with sufficient surety, to appear at the term of the Court to which the appeal is taken, and from term to term until discharged; the bond to be in such penalty as the Judge of the said Law and Equity Court of Chilton County, Alabama, may prescribe, and to be approved by the Judge or Clerk of said Court. If the defendant does not make the bond required he shall remain in custody and said defendant may, within ten days after taking said appeal, demand in said Circuit Court a trial by jury, otherwise, said case shall be tried by the Court without a jury.

SECTION 11. That the Supreme Court and Court of Appeals of this State shall have appellate and supervisory jurisdiction over said Court and the Judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State and the Judges thereof, and appeals may be taken from the orders and judgments of said Court while sitting as a Court of Equity to the Supreme Court and Court of Appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the Circuit Courts of the State, (except as herein provided for appeals to the Circuit Court). The same rules, regulations and laws applicable to appeals from the Circuit Court in Equity to the Supreme Court or Court of Appeals shall govern appeals in all Equity cases from the Law and Equity Court of Chilton County, Alabama, unless otherwise provided in this Act.

SECTION 12. That any civil and equity cases now or hereafter pending in the Circuit Court of Chilton County, Alabama, may be, by agreement of the parties thereto, transferred from the Circuit Court to the Law and Equity Court of Chilton County, Alabama, and any civil or equity cases hereinafter pending in the Law and Equity Court of Chilton County, Alabama, may be, by agreement of the parties thereto, transferred from said Law and Equity Court of Chilton County, Alabama, to the Circuit Court of Chilton County, Alabama.

SECTION 13. That the procedures, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the Law and Equity Court of Chilton County, Alabama, except as otherwise provided herein.

SECTION 14. The Sheriff of Chilton County, Alabama, shall in person or by a deputy, or deputies appointed by him, said appointment to be approved by the Judge of said Court, be required to attend upon said Court in preserving order, and execute all writs of process and perform such other duties in all respects as in the Circuit Court of this State, and each deputy required, not exceeding three, for attendance upon said session of said Court, shall receive the sum of \$3.00 per day, payable out of County treasury upon the warrant of the Judge of said Court, provided that such deputies shall not receive pay except for the time that the Court is actually in session and none of such compensation to the deputies shall be shared in by the Sheriff, and no compensation shall be paid to those deputies of the sheriff who are paid regular monthly salaries by the county; and for the service by the Sheriff of the process of said Court, he shall receive compensation as he receives under the law of the State of Alabama or any laws enacted in the future by the Legislature of Alabama for the compensation of the sheriff for similar services in the Circuit Court, except as herein otherwise provided.

SECTION 15. That if for any reason a forfeiture be taken on any bond on the criminal side of said Court, the Court may order the alias capias returnable instantor or in ten days, and unless the party or parties against whom the forfeiture is taken shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the Court is hereby authorized and empowered to make the judgment final.

SECTION 16. That the Judge of the Law and Equity Court of Chilton County, Alabama, shall adopt a seal for the law side of the docket of the Law and Equity Court of Chilton County, Alabama, which shall be kept in the custody and control of the Clerk of the Court.

SECTION 17. That the Judge of the Law and Equity Court of Chilton County, Alabama, shall adopt a seal for the equity side of the docket of the Law and Equity Court of Chilton County, Alabama, which shall be kept in the custody and control of the Register of the Court.

SECTION 18. When the summons, writ of attachment, summons and complaint in attachment, or other process, either in law or in equity, has been executed on the defendant, or service perfected on him, as required by law, the defendant shall appear and plead, answer or demur thereto, within the time now or which hereafter may be provided by law, in the Circuit Courts of Alabama.

SECTION 19. That said Law and Equity Court of Chilton County, Alabama, shall have exclusive jurisdiction over children, and the Judge of said Law and Equity Court of Chilton County, Alabama, shall be the Judge of the Juvenile Court; it being the intention herein to confer complete, full, unlimited and exclusive jurisdiction upon the Law and Equity Court of Chilton County, Alabama, of all juvenile matters and juvenile jurisdiction in Chilton County, Alabama, as now provided under Title 13, Chapter 7, Sections 350 to 383, both inclusive of the Code of Alabama, Recompiled 1958, or as hereafter amended, and appeals in such cases shall be as provided by law. The Clerk of the Circuit Court is hereby made the Clerk of such Juvenile Court.

SECTION 20. That this Court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Sections 89 to

104, both inclusive, of the Code of Alabama, Recompiled 1958, or as hereafter amended which Article 3 is entitled "Desertion and Non-Support." That the trial of such cases shall be by the Court without a jury and appeals in such cases shall be as provided by law. That the Judge of the Law and Equity Court of Chilton County, Alabama, shall be the Judge of the Domestic Relations Court, it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Law and Equity Court of Chilton County, Alabama, of all domestic relations matters arising under Title 34, Article 3, Section 89 to 104, both inclusive, of the Code of Alabama, Recompiled 1958, as amended or hereafter may be amended.

SECTION 21. Prosecutions for misdemeanors committed in Chilton County, Alabama, may be instituted in the said Court by making an affidavit before the Judge of said Court or the Clerk, the writ on said affidavit to be issued by the Judge or Clerk of said Court and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant has been indicted by a Grand Jury, provided, however, that the affidavit or complaint may be amended, as now provided for amendment of such papers by Section 347, Title 13, of the Code of Alabama, Recompiled 1958. All affidavits or warrants for criminal or quasi criminal acts of whatever kind issued by the Justices of Peace of Chilton County, Alabama, shall be returnable to this Court

SECTION 22. The Judge of said Court shall have power to issue search warrants, writs of habeas corpus, prohibition, certiorari, quo warranto, injunctions, mandamus and all other special and extraordinary writs, and the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be provided by law, except as otherwise provided in this Act, shall prevail in the Law and Equity Court of Chilton County, Alabama, and the Judge thereof shall have the same powers and authority, including punishment for contempt, as is or hereafter may be conferred upon the Judges of the Circuit Courts of Alabama, unless otherwise provided in this Act.

SECTION 23. The Judge of the Law and Equity Court of Chilton County, Alabama, shall have the authority and power to appoint a competent court reporter to attend the terms of the Court and report cases tried in said Court and said court reporter shall be paid out of the General Fund of Chilton County, Alabama, a salary of \$300.00 per month payable at the end of each month on a certificate and order of the Judge of said Court. The Judge of said Court may remove the court reporter, at his will, without assigning any cause for his action in doing so. The court reporter, when not actively engaged in the work of the Court as court reporter, shall serve as secretary to the Judge of said Court in his office. In addition to the compensation herein provided, said reporter shall be entitled to tax and collect from the litigants or their attorneys for whom he or she is making a transcript of the evidence, the sum of twenty cents for each one hundred words of said transcript and the sum of five cents for each one hundred words of each carbon copy thereof made at the same writing, and when said transcript is made the reporter shall append thereto his or her certificate to the correctness of the same as such official reporter. The Court reporter's notes shall be preserved and filed as now provided by law in the Circuit Court.

SECTION 24. That from and after the passage of this Act all fines and forfeitures assessed and collected in said Court shall be deposited in the Fine and Forfeiture Fund of Chilton County, Alabama.

SECTION 25. That claims accruing in the Law and Equity Court of Chilton County, Alabama, will be claims against said Fund and such

claims must be paid in the order in which they are registered, as provided by law.

SECTION 26. It shall be the duty of the Clerk of said Court to keep a record upon which shall be recorded all affidavits made before the Judge or Clerk of said Court or returnable by a Justice of the Peace or Judge of an Inferior Court in said County, to said Court and if any of said affidavits should be lost or destroyed, a certified copy of the said record shall be used the same as the original affidavit and for recording each of said affidavits, the Clerk shall receive a fee of seventy-five cents to be taxed as costs in the event of the defendants conviction.

SECTION 27. Judgments or decrees rendered by the Law and Equity Court of Chilton County, Alabama, shall be a lien on the property of the judgment debtor which is subject to levy and sale under execution in the same manner and for the same period of time as it is now, or as hereafter may be provided by law for courts of record of this State, upon the filing in the Office of a Judge of Probate of a certificate of the said judgment or decree issued by the Clerk or Register of the said Court as it now or as hereafter may be provided by law; and the said judgments or decrees may be revived in the manner now, or as hereafter may be provided by law.

SECTION 28. That final judgments rendered in said Court shall, after the expiration of thirty days from their rendition, be taken and deemed to have passed beyond the control of the said Court, as if the term of Court at which judgments were rendered had ended, provided however, that nothing herein contained shall prevent the parties applying for a new trial or rehearing within thirty days or change or destroy the office of motion for new trials or rehearings when so made, or shall prevent parties from applying to the Court for rehearings under statutes authorizing applications for rehearing in the Circuit Court.

SECTION 29. That there shall be taxed against the defendant on conviction the same solicitor's fee and the same shall be collected in the way provided by law for taxing and collecting solicitor's fees in the Circuit Court, and when collected shall be paid into the treasury of Chilton County, Alabama.

SECTION 30. That the Chilton County Law and Equity Court of Chilton County, Alabama, as created by Act No. 138, 1961 Legislature, page 2071, and The County Court of Chilton County as created by Chapter 6, Title 13 of the Code of Alabama, Recompiled 1958, be and the same are hereby abolished, and from and after the passage of this Act shall no longer exist and no officers of this State shall collect any fees or salaries, because of said Courts, or for service rendered in said Courts and all cases pending in the Chilton County Law and Equity Court of Chilton County, Alabama, as created by said Act No. 138, 1961 Legislature of Alabama, when this Act becomes a law, shall immediately become pending upon the docket of the Law and Equity Court of Chilton County, Alabama, as though originally brought in said Court, and shall be called for trial as above provided, and all judgments and decrees heretofore rendered in the Chilton County Law and Equity Court of Chilton County Alabama, and pending in said Chilton County, Law and Equity Court of Chilton Co., Alabama, shall be transferred to the Law and Equity Court of Chilton County, Alabama, and said Law and Equity Court of Chilton County, Alabama, shall have the same powers and control over such judgments and decrees and shall issue executions and other processes thereon in all respects as if the judgments and decrees had been originally rendered in the Court.

SECTION 31. That a trial tax of Three Dollars (\$3.00) shall be imposed in each case, civil, criminal and equity, which is docketed in said

Law and Equity Court of Chilton County, Alabama, to be taxed and collected as other costs, and when collected, to be paid by the Clerk or Register of said Law and Equity Court of Chilton County, Alabama, into the general fund of the County as other costs, provided, however, that in civil cases at law where the amount involved is Fifty Dollars, or less, a trial tax fee of only \$1.00 shall be imposed and collected, provided further, that in all criminal cases where the defendant is charged with violating any of the provisions of Title 36 of the Code of Alabama, Recompiled 1958, and pleads guilty, no trial tax shall be imposed or collected.

SECTION 32. Witnesses summoned and attending the Law and Equity Court of Chilton County, Alabama, shall be entitled to the same per diem and mileage as are paid witnesses in the Circuit Court of Chilton County, Alabama, and also witnesses summoned for the State in preliminary hearing shall be paid in the same manner as State witnesses are paid in the Circuit Court.

SECTION 33. That the Ex-Officio Clerk of the Law and Equity Court of Chilton County, Alabama, shall receive as ex-officio fees for ex-officio duties performed as Clerk of the Law and Equity Court of Chilton County, Alabama, the same amount which he is paid by the Circuit Court as provided by Title 11, Section 4, Code of Alabama, Recompiled 1958, such sum to be paid in twelve monthly installments out of the General Fund of Chilton County Alabama.

SECTION 34. That the Ex-Officio Clerk and Ex-Officio Register, are hereby authorized and required to requisition all necessary furnishings, records, stationery and supplies for the equipment and maintenance of said Court as authorized by Act No. 872, Regular Session 1951 (1951 Acts of Alabama, p. 1505).

SECTION 35. That if, for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, that fact shall not destroy the constitutionality of this Act except as to that clause or section.

SECTION 36. That all laws in conflict with this Act are hereby repealed.

SECTION 37. That this Act shall become effective immediately upon its passage and approval by the Governor, and after it has been approved by a vote of the electorates of Chilton County, Alabama, and to be submitted for a vote at the next County wide election on constitutional amendments.

PROOF OF PUBLICATION

State Of Alabama,)
County Of Chilton)

Personally appeared before the undersigned, a Notary Public in and for said county and state Bob Tucker, Publisher of the CHILTON COUNTY NEWS, a newspaper published at Clanton, County of Chilton, State of Alabama, who being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in it's issues of:

1st day of July, 1965.

8th day of July, 1965.

15th day of July, 1965.

22nd day of July, 1965.

BOB TUCKER,
Publisher.

Subscribed and sworn to before me this 23th day of July, 1965.

R. W. TUCKER,
Notary Public.

Also:

By Messrs. Burns, Owens and Nabors:

H. 1041. Relating to counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; to provide an expense allowance for the judge of probate of any such county.

Also:

By Messrs. Owens, Burns and Nabors:

H. 1042. To amend further Section 1 of Act No. 158, H. 399, Regular Session 1961 (Acts 1961, p. 206), which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to regulate further the payment of an expense allowance to the coroner in any such county.

Also:

By Mr. Faulk:

H. 1043. Relating to Geneva County: To authorize the county governing body to employ an industrial development agent for the County; fix his term of employment and compensation, and prescribe his duties.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Geneva County: To authorize the county governing body to employ an industrial development agent for the County; fix his term of employment and compensation, and prescribe his duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Geneva County, Alabama, is hereby authorized and empowered to employ an industrial development agent for the County, fix his term of employment and compensation, and prescribe his duties; provided that such term of employment shall be for not less than two nor more than four years from the effective date of this act. The compensation and expenses of the County industrial development agent shall be paid out of the general fund of the County.

Section 2. The Mayors of the incorporated Towns within Geneva County, Alabama, shall nominate a man to be industrial development agent for the County and the governing body of Geneva County, Alabama, shall pick such agent from among those so nominated by the Mayors of said Towns.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Certificate Of Publication

STATE OF ALABAMA

Geneva County

I, Orsen Spivey, Publisher of The Samson Ledger, a weekly newspaper published in Samson, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of Four consecutive weeks, commencing June 24, 1965, and ending July 15, 1965.

WITNESS my hand this 15 day of July, 1965.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 15 day of July, 1965.

KAROL L. FLEMING,
Notary Public.

Also:

By Mr. Faulk:

H. 1044. Relating to Geneva County: To provide further for the distribution of fines and forfeitures in certain cases.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Geneva County: To provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Geneva County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Geneva County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Certificate Of Publication

STATE OF ALABAMA

Geneva County

I, Orsen Spivey, Publisher of The Samson Ledger, a weekly newspaper published in Samson, Geneva County, Ala.* do hereby certify that

the advertisement attached hereto has been published in said newspaper for a period of Four consecutive weeks, commencing June 24, 1965, and ending July 15, 1965.

WITNESS my hand this 15 day of July, 1965.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 15 day of July, 1965.

KAROL L. FLEMING,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 473, 474, 972, 998, 1032, 1033, 1034, 1035, 1036, 1038, 1041, 1042, 1043 and 1044. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate.

S. 421. To apply in counties having populations of not less than 65,000 nor more than 95,000; to provide further for the salary and allowances of the members of the county governing body of any such county.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Faulk:

H. 1045. Relating to Geneva County; to withdraw and take away criminal and quasi-criminal jurisdiction from justices of the peace and notaries public ex officio justices of the peace.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Geneva County: To withdraw and take away criminal and quasi-criminal jurisdiction from justices of the peace and notaries public ex officio justices of the peace.

Be It Enacted by the Legislature of Alabama:

Section 1. All criminal and quasi-criminal jurisdiction of whatever kind, whether final or for the purpose of binding over to await the

action of the grand jury, is hereby withdrawn and taken away from justices of the peace and notaries public with powers of justices of the peace within the boundaries of Geneva County, Alabama. Justices of the peace and notaries public ex officio justices of the peace who are now or who may hereafter be elected or appointed for any portion of the territorial limits herein mentioned shall have and exercise civil jurisdiction only.

Section 2. All criminal and quasi-criminal jurisdiction heretofore vested in and exercised by justices of the peace and notaries with powers of justices of the peace within the boundaries of Geneva County is hereby vested in the Inferior Court of Geneva County, Alabama.

Section 3. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Certificate Of Publication

STATE OF ALABAMA

Geneva County

I, Orsen Spivey, Publisher of The Samson Ledger, a weekly newspaper published in Samson, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of Four consecutive weeks, commencing June 24, 1965, and ending July 15, 1965.

WITNESS my hand this 15 day of July, 1965.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 15 day of July, 1965.

KAROL L. FLEMING,
Notary Public.

Also:

By Mr. Avery:

H. 1046. To repeal special county excise taxes in counties having populations of not less than 19,500 nor more than 20,000.

Also:

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 1064. To amend further Section 1, Act No. 501, S. 399, Regular Session 1957, an act regulating the compensation of the judge of probate of Madison County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA

COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1, Act No. 501, S. 399, Regular Session 1957, an act regulating the compensation of the judge of probate of Madison County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. Section 1 of Act No. 501, S. 399, Regular Session 1957, an act regulating the compensation of the judge of probate of Madison County (Acts 1957, v. 1, p. 688), as amended, is amended further to read as follows:

"SECTION 1. The judge of probate of Madison County shall receive an annual salary of sixteen thousand five hundred dollars (\$16,500) in lieu of all other compensation provided by law."

SECTION 2. This Act shall become effective at the expiration of the term of the incumbent judge of probate of Madison County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. H. HANCOCK who, being by me first duly sworn, deposes and says that during the times herein mentioned he was GENERAL MANAGER of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JUNE 29, JULY 5, JULY 12, and JULY 19, all in the year 1965.

H. H. HANCOCK.

Sworn to and subscribed before me 21st day of July, 1965.

RUTH C. HIGDON,
Notary Public.

My Commission Expires 1/11/68.

Also:

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 1065. To amend further Section 3, Act No. 661, H. 1077, Regular Session 1957. the act creating the Madison County Court, in relation to **the compensation of the judge of said court.**

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 3, Act No. 661, H. 1077, Regular Session 1957, the act creating the Madison County Court, in relation to the compensation of the judge of said court.

Be It Enacted by the Legislature of Alabama:

SECTION 1. Section 3 of Act No. 661, H. 1077, Regular Session 1957, an act creating the Madison County Court (Acts 1957, v. 2, p. 1003), as amended, is amended further to read as follows:

"SECTION 3. The judge of said court shall receive a salary of twelve thousand dollars (\$12,000) per annum, payable monthly out of the county treasury, upon his wararnt drawn upon the county treasury or proper custodian of county funds. The judge of said court, before entering upon the duties of said office, shall take the oath of office in form required by law to be taken by judges of the circuit courts of Alabama, which shall be recorded in the office of the Probate Judge of Madison County, and a commission shall be issued to him as provided by law in other county offices. The said judge may be removed from office for the causes and in the manner now provided by law for the removal of judges of the circuit court. The judge of said court may punish for criminal contempt in cases where the judges of the circuit court can punish for contempt, by fine not exceeding fifty dollars and by imprisonment in the county jail for not exceeding five days, one or both at the discretion of the said judge. The said judge shall have the right to take the affidavits and to issue and sign in his name any process or other paper of said court, and he is hereby specifically authorized to issue warrants of arrest in any case of which the Madison County Court has preliminary jurisdiction."

SECTION 2. This Act shall take effect at the expiration of the term of the incumbent judge of the Madison County court.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. H. HANCOCK who, being by me first duly sworn, deposes and says that during the times herein mentioned he was GENERAL MANAGER of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JUNE 29, JULY 5, JULY 12, and JULY 19, all in the year 1965.

H. H. HANCOCK.

Sworn to and subscribed before me 21st day of July, 1965.

RUTH C. HIGDON,
Notary Public.

My Commission Expires 1/11/68.

Also:

By Mr. Fite:

H. 1066. Relating to counties having populations of not less than 21,000 nor more than 21,850, according to the last or any succeeding federal decennial census, providing for a secretary-stenographer for the Courts of such counties, prescribing the means of appointment, the duties and compensation therefor.

Also:

By Mr. Camp:

H. 1076. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school district number one, Talladega County.

Also:

By Messrs. Campbell, Tuscaloosa), Callahan, and Brown (Tuscaloosa):

H. 1078. To amend Section 5 of Act No. 56 of the regular session of the Legislature of Alabama of 1953, as amended by Act No. 290 of the regular session of the Legislature of Alabama of 1959, approved October 30, 1959, being an Act levying additional privilege or license taxes in Tuscaloosa County, by adding an additional penalty for failure to make reports as required therein.

With notice and proof thereto attached and herewith exhibited as follows:

THE STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 5 of Act No. 56 of the regular session of the Legislature of Alabama of 1953, as amended by Act No. 290 of the regular session of the Legislature of Alabama of 1959, approved October 30, 1959, being an Act levying additional privilege or license taxes in Tuscaloosa County, by adding an additional penalty for failure to make reports as required therein.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 56 of the regular session of the Legislature of Alabama of 1953, approved June 3, 1953, as amended by Act No. 290 of the regular session of the Legislature of Alabama of 1959, approved October 30, 1959, being an Act levying additional privilege or license taxes in Tuscaloosa County, is hereby amended by adding at the end of said Section 5 of said Act the following:

"(d) Any person subject to the provisions of this Act who shall fail to make the reports or statements or any of them, as required by this Act, shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$25.00 nor more than \$500.00 for each offense. Such failure shall constitute a separate offense for each month during which a report or statement is required to be made under this Act."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

State Of Alabama)
County of Tuscaloosa)

Before me, the undersigned authority in and for said county in said state, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State Of Alabama, said notices having appeared in the issues of said paper on 16 June, 23 June, 30 June, and 7 July, all in the year 1965.

BUFORD BOONE,
Publisher.

Sworn to and subscribed before me on this the 7th day of July, 1965.

LILLA COLLINS,
Notary Public in and for Tuscaloosa County,
State Of Alabama.

Also:

By Messrs. Vacca, Morrow, Rast, Meeks, Gilmore, Sessions, Locke, Dominick, Bethea (M), Bowers, Brown (Jefferson), Hawkins and Perry:

H. 1050. Relating to counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain functions and duties from the Judge of Probate to the Tax Collector; relieving the Judge of Probate of such duties; providing for the payment of all fees for such duties to the County Treasurer or County Depository to the credit of the general fund of such county and the payment of additional compensation to the Tax Collector for the performance of the additional duties and the additional responsibilities imposed by this act, effective with the next term of any such Tax Collector; and repealing conflicting laws.

Also:

By Messrs. Rast, Meeks, Gilmore, Sessions, Dominick, Bowers, Vacca, Morrow, Bethea (M) and Etheredge:

H. 1051. Proposing an amendment to the Constitution relating to authorizing the City of Birmingham to levy and collect each year in addition to all other taxes, now or hereafter authorized, a special ad valorem tax of fifty cents on each one hundred dollars worth of taxable property in the City.

Also:

By Messrs. Rast, Meeks, Gilmore, Sessions, Bowers, Brown (Jefferson), Vacca, Morrow, Dominick, Etheredge and Perry:

H. 1052. To amend Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census.

Also:

By Messrs. Rast, Meeks, Gilmore, Sessions, Locke, Dominick, Bethea (M), Bowers, Brown (Jefferson), Vacca, Hawkins, Bethea (B), Morrow, Etheredge and Perry:

H. 1053. To amend Section 17 of Act Number 385 of the 1947 Session of the Legislature of Alabama, approved September 16, 1947 (General Acts of Alabama 1947, page 280) entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants or more, according to the last or any subsequent Federal census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this Act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this Act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this Act".

Also:

By Messrs. Vacca, Etheredge, Rast, Meeks, Gilmore, Sessions, Locke, Dominick, Bowers, Brown (Jefferson), Hawkins, Morrow and Perry:

H. 1054. To authorize the Registers and Clerks of all Circuit Courts, in Counties having a population of 600,000 or more inhabitants, according to the last or any subsequent Federal Census, to destroy certain documents, papers and exhibits.

Also:

By Messrs. Vacca, Etheredge, Rast, Meeks, Gilmore, Sessions, Locke, Dominick, Bethea (M), Bowers, Brown (Jefferson), Hawkins, Morrow and Perry:

H. 1055. To authorize the Registers and Clerks of all Circuit Courts in counties having a population of 600,000 inhabitants or more, according to the last or any subsequent Federal census, to record all pleadings, decrees and other documents presently or hereafter required to be recorded, by means of photograph or microphotograph machines, and for preserving such on film and microfilm.

Also:

By Messrs. Gilmore, Rast, Meeks, Sessions, Locke, Dominick, Bethea (M), Bowers, Brown (Jefferson), Vacca, Hawkins, Morrow and Perry:

H. 1056. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 19 South, Range 4 West, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

TO ALTER, REARRANGE AND EXTEND THE BOUNDARIES OF THE CITY OF BESSEMER, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS THEREOF CERTAIN ADDITIONAL TERRITORY IN SECTION 5, TOWNSHIP 19 SOUTH, RANGE 4 WEST, JEFFERSON COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Bessemer, in Jefferson County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city certain additional territory lying within the following described boundaries, to-wit:

Begin at the NE corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 5, Township 19 South, Range 4 West, Jefferson County, Alabama, thence travel southwardly along the East boundary of said quarter-quarter, the same being along the now existing city limit line of the City of Bessemer, a distance of 627.36 feet to a point; thence turn right an angle of 126° 17' and travel northwesterly a distance of 250.33 feet to a point; thence turn an angle of 72° 15' to the right and travel northeasterly along the most easterly right-of-way of an old abandoned county road a distance of 389.5 feet to a point; thence turn right an angle of 0° 20' and continue northeasterly along the most easterly right-of-way of abandoned county road to its intersection with the northern boundary of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5, thence turn right an angle and travel eastwardly along the north boundary of the said NW $\frac{1}{4}$ of NW $\frac{1}{4}$ to its NE corner, the point of beginning of this survey, the entire parcel lying in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5, Township 19 South, Range 4 West.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
Jefferson County.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B M McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: May 14-21-28-June 4 1965 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 22 day of June 1965.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Rast, Meeks, Gilmore, Sessions, Locke, Dominick, Bowers, Brown (Jefferson), Vacca, Hawkins and Perry:

H. 1057. To provide for the establishment of a retirement system for employees and officers of Jefferson County, Alabama, and for the Circuit Solicitor in said County, the Solicitor of the Juvenile and Domestic Relations Court of said County, the Solicitor of the Jefferson County Criminal Court and any deputy appointed by said Circuit Solicitor; to provide for the abolition of the retirement systems established by Act No. 551 of the Legislature of Alabama of 1953, (Ala. Acts, 1953, pages 766, et seq.), and by Act No. 843 of the Legislature of Alabama of 1961, (Ala. Acts, 1961, pages 1250 et seq.); to transfer the assets of the pension systems abolished as aforesaid to the retirement system established by this act; to provide that all members of the abolished systems shall be members of the retirement system hereby established which shall be liable for all obligations of the abolished systems; to provide that the retirement system established by this act shall be financed by contributions of said employees and officers and said County to the pension fund; to provide for the administration of the said retirement system by a Pension Board; and to authorize, but not require, the Pension Board to purchase annuity contracts, or policies, to assure payment of benefits accruing in favor of members of either of the two abolished retirement systems.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of intention to apply at the Regular Session of the Legislature of Alabama held during the year 1965, or at any special session of the Legislature of Alabama held during said year, for introduction and passage of a bill the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

LEGAL NOTICE

NOTICE OF INTENTION TO APPLY FOR AN ACT ESTABLISHING A PENSION SYSTEM FOR THE OFFICERS AND EMPLOYEES OF JEFFERSON COUNTY ALABAMA.

Notice is hereby given of intention to apply during the Regular Session of the Legislature of Alabama of 1965 for the enactment of a law which will establish a pension system in Jefferson County, Alabama, for the officers and employees hereinafter specified.

The proposed law, hereinafter called "the law", will provide a pension system for the following classes of officers: (1) Officers and employees of Jefferson County, Alabama, including those enumerated in (2) and (3) below; (2) All officers and employees of Jefferson County, Alabama, now belonging to the pension system established by Act 843 of the Legislature of Alabama of 1961, as heretofore amended, approved September 8, 1961, (Acts of Ala. 1961, pages 1250-1261); (3) All employees of Jefferson County, Alabama, belonging to the pension system established by Act 551, Legislature of Alabama of 1953, approved September 9, 1963, as heretofore amended, (Acts of Ala. 1953, pages 766-777); and (4) The Circuit Solicitor serving Jefferson County, Alabama, the Solicitor of the Court of Juvenile and Domestic Relations of Jefferson County, Alabama, the Solicitor of the Jefferson County Criminal Court and any deputy or deputies appointed by said Circuit Solicitor;

provided, however, that for pension purposes only that part of the salary of the said Solicitors and deputies of Solicitors paid by Jefferson County, Alabama, shall be considered.

The law will change, in the respects hereinafter enumerated, the rate of the pension provided for by the two existing systems. The maximum salary to be considered for pension purposes (both for the purpose of deductions from salary and for the purpose of computing benefits) will be increased to a salary of \$800 monthly.

The law will abolish the pension systems established by said Act 843 of the Legislature of Alabama of 1961 and by Act 551 of the Legislature of Alabama of 1953 and will transfer all members of the two systems above mentioned, including retired members, to the system to be established by the law. The system established by the law shall be liable for all obligations, either accrued or contingent, of the two pension systems established by the two Acts above mentioned.

The law will allow an employee credit, to the extent specified in the next succeeding sentence, for service with the County during a period when the employee was not contributing to any pension system. For the period specified in the next foregoing sentence, the employee will receive, for each year's service, a benefit in the following amount, or his benefit based upon paid membership time in a pension system will be increased by the following amount: An amount equal to one-half of one percent ($\frac{1}{2}$ of 1%) of his final average salary multiplied by the number of years during which he was in the service of the County while not making contributions to any pension system of the County.

As hereinafter used, the term "paid membership time" means a period during which an employee was making contributions to a pension system for employees and officers or for employees of Jefferson County, Alabama. The monthly benefit, based on the final average salary, subject to the said maximum salary limitation of \$800, shall be in the following amount or amounts:

(a) $1\frac{3}{4}\%$ for each year of paid membership time during which the maximum salary considered for pension purposes is 800, not to exceed 20 years plus 1% for each year in excess of 20, And,

(b) for the period from January 1, 1956, to the effective date of the \$800 maximum, $1\frac{3}{4}\%$, up to \$400, for each year of paid membership time not exceeding 20 years, plus 1% for each year in excess of 20, plus $\frac{1}{2}\%$ on that part of salary in excess of \$400. And,

(c) for paid membership time before January 1, 1956 $1\frac{3}{4}\%$, up to \$300, for each year up to a total of 20, plus 1% for each year in excess of 20, plus $\frac{1}{2}\%$ on that part of salary in excess of \$300.

(d) For any period of service with the County other than paid membership time, $\frac{1}{2}\%$ of the final average salary for each year of such service.

The law will permit members to elect to receive the same credit for unpaid membership time as for paid membership time by paying into the pension fund, contributions plus interest, which they would have made if the \$800 maximum had been in effect all along. They may make such payment to cover all or any part of past service in order to make the \$800 maximum applicable to such period of service.

The law will provide that for the purpose of making such payments, members may borrow from the Pension Fund, up to 50% of the amount they have contributed. This loan will be repayable by payroll deductions in equal installments over a period not to exceed thirty months.

Under the law, ordinary disability benefits will be provided and determined in accordance with the same formula as retirement pensions are calculated under the two above mentioned Acts, and service connected disability will be provided and calculated as presently provided under the two pension Acts listed above, except that the maximum salary on which pensions can be based will be \$800.

The law will provide for each member of the system to make contributions to the Fund of the system in an amount equal to six percent (6%) of his monthly salary, such contributions to be made by the deductions thereof from the salary of the employee.

The law will provide for Jefferson County, Alabama, to make contributions to the fund of the pension in an amount sufficient to finance the fund and assure its solvency.

The law will provide for a Pension Board comprised of five members. The County Commission, the Probate Judge and the Personnel Board shall each appoint one member; and the members of the new pension system in the active service of the County shall appoint two members. That member appointed by the County Commission shall be the chairman of the Pension Board.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 26, July 3, 10, 17, 1965, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 19th day of July, 1965.

SYLVIA R. McANALLY,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 1045, 1046, 1064, 1065, 1076, 1078, 1050, 1051, 1052, 1053, 1054, 1055, 1056 and 1057. To the Committee on Local Legislation.

H. B. 1066. To the Committee on Banking.

(The above numbered Bills, H. B.'s 1051 and 1076, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Grouby, Heflin and Powell:

H. 359. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the solicitor of the Nineteenth Judicial Circuit, to be drawn upon by the circuit solicitor of the Nineteenth Judicial Circuit, and to provide that the solicitor's fees taxed in all criminal proceedings in the circuit court of Elmore, Autauga, and Chilton Counties be paid into such fund for such purpose.

Also:

By Messrs. Hain and Blanton:

H. 967. To amend Code of Alabama 1940, Title 15, Sections 401, 402, 404, 408, 409, 410, 411, 412, 413, 414, 416, 419, 420, and 421, to make the peace bond procedure applicable to persons breaching the peace and public order.

Also:

By Messrs. Camp, Callahan and Thomas:

H. 1077. To amend further Code of Alabama 1940, Title 45, Sections 259 and 265, relating to the liability of persons responsible for the care, support, and maintenance of inmates in state mental institutions.

Also:

By Messrs. Holladay, Daniel, Cates, NeSmith, Rast, Morrow, Brown (Jefferson), Gilmore, Bowers and Engel:

H. 571. To amend further Section 1, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to further define the terms "sale at wholesale" and "wholesale sale."

Also:

By Messrs. Holladay, Daniel, Cates, NeSmith, Rast, Morrow, Brown (Jefferson), Gilmore, Bowers and Engel:

H. 572. To amend further Code of Alabama 1940, Title 51, Section 787, which relates to definitions used in the state use tax law, so as to re-define the terms "wholesale sale" or "sale at wholesale."

Also:

By Messrs. Heflin, Turnham, Teel, Powell, Grouby, Crawford, Young, Brewer, Cates, Stembridge, Edwards (Lowndes), Blanton, Nettles, Cooper, Owen, Jones (Monroe), McCorquodale, Daniel, Brown (Tuscaloosa), Pierce, Goodwyn, NeSmith, Ingram, Harper, Hester, Sullivan, Campbell (Tuscaloosa), Tuck, Paulk, Moore, Slate, Branyon, Hannah, Barnett, Avery, Drake, Burns, Jones (Covington), Steagall, Cantrell, Bolton, Holladay, Downing, Engel, McDermott, Hogan, Bevil, Camp, Boston, Nabors, Owens, Carr, Glass, Scurlock, Casey, Reynolds, Bowers, Edwards (Escambia), Doggett, Salter, Turner (Crenshaw), Snell, Sessions, Davis and Little:

H. 583. To provide for establishment of the Alabama Food Processing Commission, to prescribe the powers and authority of the commission, including the power to acquire, own or lease a pilot food pro-

cessing plant for experimental purposes, and to make an appropriation to the use of the commission.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 359. To the Committee on Local Legislation.

H. B.'s 967 and 1077. To the Committee on Judiciary.

H. B.'s 571, 572 and 583. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 347. To provide for payment of expenses of circuit solicitors in judicial circuits in Alabama composed of one county where the population of such county exceeds 110,000 and is less than 160,000 according to the last preceding or any succeeding federal decennial census, to be paid out of the county treasury of such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Roberts, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 347, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 347.

In Section 3, add at the end thereof the following: The Act shall terminate and expire, however, at the expiration of the term of the incumbent circuit solicitor.

Yeas 25; Nays 0.

Yeas:

Messrs.:
Adams
Allen
Bentley
Carter
Clark
Dumas

Evans
Gilchrist
Givhan
Hawkins
Horton
James
Lolley

Lowe
Mathews
McCain
McDow
Montgomery
Oden

Roberts
Shelton
Smith
Taylor
Tyson
Wilson

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Ingram, Stenbridge, Pierce and Salter:

H. 427. To amend Sections 6, 19, 20, 29 and 37, of Act No. 100 (S. 68), Regular Session of the Legislature of 1959 approved June 24, 1959, General Acts of 1959, An Act relating to the Board of Dental Examiners of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 427. To the Committee on Public Health.

REPORTS OF COMMITTEES

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rast et al:

H. 1002. To provide for the sale and transfer of the assets and facilities and for the merger and dissolution of public improvement authorities in counties having a population of 500,000 or more according to the last or any subsequent federal census which have been or may be created or organized under Chapter 3, of Title 50, of the 1958 Recompiled Code of Alabama (General Acts 1935, page 72, as amended by General Acts, 1956, 2nd Extra Session, page 359, and by General Acts, 1957, page 611); and to provide for the payment or assumption of all obligations of such authority or authorities in the event of any such merger, sale or dissolution.

By Mr. Tuck:

H. 995. To authorize the Director of Conservation to open a season in counties having a population of not less than 13,500 nor more than 14,000, for the hunting of female deer or unantlered male deer.

By Mr. Carr:

H. 1013. To repeal Act No. 115, H. 150, Special Session 1962 (Acts 1962, p. 149), an act entitled "An Act To create the office of deputy solicitor for all counties having two court houses at which any of the business of the circuit court or other court of record therein is regularly transacted from time to time and having a population of not less than 46,600 nor more than 49,050, according to the last or any subsequent federal decennial census; to fix the salary, provide for the appointment and removal, and define the powers and duties of such deputy solicitors; and to repeal all general and local laws in conflict herewith."

By Mr. Carr:

H. 1012. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census.

By Mr. Carr (with notice and proof):

H. 1011. For the relief of Bobby Joe King of Marshall County; authorizing and directing the governing body of Marshall County to make an appropriation of county funds to compensate Bobby Joe King for certain damages sustained by him.

By Mr. Edwards (Escambia) (with notice and proof):

H. 992. Regulating the compensation of registrars of Escambia County, and providing for payment of additional compensation by the County.

By Mr. Edwards (Escambia) (with notice and proof):

H. 991. Relating to Escambia County, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

By Mr. Carr (with notice and proof):

H. 1010. For the relief of Ray Stone of Marshall County; authorizing and directing the governing body of Marshall County to make an appropriation of county funds to compensate Ray Stone for certain damages sustained by him.

By Mr. Edwards (Escambia) (with notice and proof):

H. 990. Relating to Escambia County; regulating the placing, leaving, or dumping of garbage, refuse, rubbish, trash and debris along the public roads in such county; providing for the orderly deposit and disposal thereof; prescribing penalties; and placing certain duties on and granting certain powers and authority to the county governing body relative to providing for the orderly deposit and disposal of garbage, refuse, rubbish, trash, and debris.

By Mr. Edwards (Escambia) (with notice and proof):

H. 989. To fix the compensation of certain deputy sheriffs of Escambia County.

By Mr. Powell (with notice and proof):

H. 987. To alter, enlarge, re-arrange and extend the corporate limits of the City of Wetumpka in Elmore County, Alabama.

By Messrs. Hain and Blanton:

H. 986. Relating to counties having a population of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; to provide further for the selection of textbooks and instructional materials for use in the public schools in any such county.

By Mr. Jones (Covington) (with notice and proof):

H. 988. To alter, rearrange, and extend the boundaries of the City of Opp, Covington County, Alabama.

By Mr. NeSmith (with notice and proof):

H. 983. To amend Sections 2 and 4 of Act No. 228, S266, Regular Session 1963, an act establishing the court of county commissioners of Blount County.

By Mr. Davis (with notice and proof):

H. 982. To apply only in Bibb County; regulating further the taking of fish from public streams and impounded waters; authorizing the tak-

ing of catfish by the use of baskets or nets including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

By Mr. Davis (with notice and proof):

H. 980. To change the method of compensating the sheriff of Bibb County, placing such officer on a salary basis, and providing for the operation of his office on such basis.

By Messrs. Reynolds, Baker (Madison) and Pennington (with notice and proof):

H. 932. To change the method of compensating certain officers of Madison County; placing such officers on a salary basis; providing for their assistants and the office equipment, supplies, services, and material necessary for conducting the business of their respective offices.

By Mr. Bevell:

H. 538. To provide expense allowances for the circuit court judges of all counties having populations of not less than 54,000 nor more than 56,000.

By Messrs. Merrill, Burnham and Albea:

H. 906. To authorize City Boards of Education in all counties having a population of not less than 76,000 and not more than 96,000 to enter into agreements with the appropriate federal agencies for the operation of schools located on federal military bases adjoining cities having City Boards of Education, and to operate said schools as if they were in a separate school district, pursuant to such agreements.

By Messrs. Blanton and Hain:

H. 472. Proposing an amendment to the Constitution relating to costs and charges of courts in Dallas County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Blanton and Hain (with notice and proof):

H. 471. To create and establish in Dallas County an inferior court, known as and called the Dallas County Court, in lieu of the Dallas County Court created by Act No. 194, H. 448, Regular Session 1957 (Acts 1957, p. 245); to define its powers, and jurisdiction, including the criminal jurisdiction heretofore conferred by law on the justices of the peace of Dallas County; to abolish the criminal jurisdiction of justices of the peace in said county; to provide for a judge and other officers of the Dallas County Court, and prescribe their powers, duties, tenure and compensation; to prescribe rules of procedure for the court; to provide for the execution of the process of the court and the operation thereof; to authorize and provide for the transfer of cases and causes from the Dallas County Court hereby abolished to the court hereby created; and to repeal conflicting laws.

By Mr. Montgomery:

S. 571. To amend Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

By Mr. Bentley:

S. 568. To apply only in counties having populations of not less than 24,800 nor more than 25,400, according to the most recent federal decennial census; regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of such counties.

Mr. James, Chairman of the Standing Committee on Mining and Manufacturing, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Engel and Brewer (with amendment):

H. 935. To provide for the organization of a public corporation in the state to be known as the State Industrial Development Authority; to designate the officers and members of the board of directors of the Authority; to prescribe the powers and duties of the Authority, including the power to make certain state surveys incidental to industrial development and the power to make grants of money to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell bonds for the purpose of making said grants of money; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be issued to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies and for investment of fiduciary funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Code of Alabama of 1940, Title 51, Section 179, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, as such principal and interest mature; to authorize the Authority to pledge such funds for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds and that such bonds shall nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the dissolution of the Authority; and to repeal Act No. 242 adopted at the Extraordinary Session of the Legislature of Alabama of 1965, which convened on February 16, 1965.

Mr. Allen, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Allen:

S. 438. To amend further Act No. 382, H. 834, approved September 9, 1955, an act authorizing the director of the highway department to issue special permits for movement of certain oversize vehicles on public highways (Acts 1955, p. 916).

Mr. Taylor, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Crawford, Cook, Ingram and NeSmith:

H. 92. To amend Act Number 663, Regular Session of the Legislature of Alabama 1961 (approved September 6, 1961), relating to the election of officers in cities and towns of this State, except cities and towns organized under a commission form of government.

By Mr. Brannan:

S. 479. To amend Section 521 of Title 37 of the Code of Alabama of 1940 so as to provide that a municipality need not advertise for bids from contractors, pursuant to the requirements of that section, with respect to construction to be performed, or labor, materials and services, or any of them, to be furnished, by the State of Alabama pursuant to contract between the said municipality and the state.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Taylor (with notice and proof):

S. 404. To require railroads to install and maintain flashing electric signals, bells, or other similar warning devices at every intersection of their tracks with a federal or state highway or with a county road where there is a grade crossing in Covington County, which in the opinion of the board of revenue or other county governing body is dangerous, when directed to do so by the county governing body; and to prescribe penalties.

By Mr. Reynolds (with notice and proof):

S. 565. Relating to Bullock County; providing further for the administration and collection of special privilege licenses or excise taxes levied pursuant to Act No. 176, H. 687, Regular Session 1957, imposing certain duties upon the Court of County Commissioners of said county in reference to the enforcement of such taxes and the collection thereof.

By Mr. Cooper (with notice and proof):

H. 1008. To provide for the payment of per diem allowances to members of the board of registrars of Macon County from county funds.

By Mr. Hankins (with notice and proof):

H. 1028. To alter, re-arrange and extend the corporate limits of the Town of Beaverton, Lamar County, Alabama.

By Mr. Tyson:

S. 566. Relating to counties having populations of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census; authorizing the sale and distribution of draft beer within such counties.

Mr. Evans, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Crawford et al:

H. 95. To provide for a representative from Alabama on the Resources Advisory Board, Southeast River Basins; to authorize payment

of a pro rata part of the expenses of the Board and to provide the necessary funds therefor, and for other related purposes.

Mr. Tyson, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tyson:

S. 542. Relating to certain employees of the Fort Morgan Historical Commission; providing living quarters and office space for such employees and authorizing the sale of certain printed material by such employees.

Mr. Tyson, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Brannan (with amendment):

S. 536. To provide for the retirement of Hatchett Chandler on a pension of One Hundred Fifty Dollars per month, to be paid from funds of the Fort Morgan Historical Commission.

MESSAGE FROM THE HOUSE

Mr. President Pro-Tempore:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 201. Relating to the continuing program for the employment of the handicapped; creating certain committees, providing for their organization, membership, and functions; providing for personnel and other related expenses, and making appropriations for purposes of promoting such program.

Also:

H. 210. To amend Section 4 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945 page 734) which relates to the Employees' Retirement System of Alabama.

Also:

H. 215. Relating to Macon County; amending Act No. 334, H. 826, Regular Session 1939 (Local Acts 1939, p. 225) which created and established the board of revenue of Macon County.

Also:

H. 231. To provide for the regulation of proxies, consents and authorizations in respect of securities issued by domestic stock insurance companies; to give the Superintendent of Insurance power to prescribe such regulations; and to make it unlawful for any person to solicit any proxy, consent or authorization in contravention of such regulations; To provide a separability clause; and To repeal conflicting laws.

Also:

H. 418. Relating to counties having populations of not less than 100,000 and not more than 115,000 according to the most recent federal decennial census; to provide for payment by the county of per diem allowances to members of boards of registrars in such counties.

Also:

H. 162. Further regulating the business of selling, distributing, storing or transporting liquefied petroleum gases; abolishing the Alabama Liquefied Petroleum Gas Commission and creating the Alabama Liquefied Petroleum Gas Board; providing for the qualifications, appointment, terms and compensation of board members; providing for the appointment and duties of a board administrator; further regulating permits and permit fees; providing for the transfer of all properties and funds of the Alabama Liquefied Petroleum Gas Commission to the Alabama Liquefied Petroleum Gas Board; repealing Act No. 275, H. 228, Regular Session 1951 (Acts 1951, p. 559).

Also:

H. 112. Concerning insider trading of domestic stock insurance company equity securities.

Also:

H. 159. To make an appropriation to the Commission on Aging of the State of Alabama.

Also:

H. 13. Relating to counties having a population of not less than 76,000 and not more than 96,000 according to the last or any subsequent federal decennial census; providing for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

Also:

H. 499. To authorize and provide for the adoption of ordinances by initiative and referendum in cities of the state with a mayor-council form of government having a population of 300,000 inhabitants or more according to the last or any subsequent federal census.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro-Tempore:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 109. Relative to congratulating Mr. Frank Samford upon receipt of the Gold Medal of Merit of the "Veterans of Foreign Wars".

Also:

H. J. R. 112. Relative to mourning the death of The Honorable Adlai Stevenson.

Also:

H. J. R. 113. Relative to wishing success to Mr. Benny Marshall upon the publication of his book "Winning Isn't Everything".

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro-Tempore:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 135. To amend Act No. 668, Section 1, Regular Session 1951 (Acts 1951, v. 2, p. 1156), in relation to the mileage allowance provided the tax collector of Mobile County.

Also:

H. 408. Relating to the City and County of Mobile; creating the position of assistant humane officer; providing for the appointment and compensation and regulating the duties of such officer.

Also:

H. 497. To create the office of Supernumerary Probate Judge in each county in Alabama having a population of 500,000 or more according to the last or any succeeding federal census; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of compensation or salary of any county supernumerary probate judge.

Also:

H. 533. For the relief of Harvey Spencer to appropriate certain monies to compensate him for injuries received at the Court House in Tuscaloosa, Alabama.

Also:

H. 741. Relating to Tuscaloosa County: To create and establish therein a court of record with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Tuscaloosa County Court"; defining its jurisdiction; providing it with officers; prescribing their powers, duties, salary, compensation, terms of office, and the manner of their selection, appointment and election; regulating procedure and process in the newly established court and providing for the issuance, service and return of warrants therein; abolishing the Inferior Court of Tuscaloosa County which was created by Act No. 228, H. 707, approved August 3, 1927 (Local Acts of 1927, page 130) and providing for the transfer of certain cases therein pending, to the court hereby established and other cases therein to the Circuit Court of Tuscaloosa County.

Also:

H. 754. To alter and rearrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous of said City.

Also:

H. 760. To amend and extend the corporate limits of the City of Russellville, Alabama.

Also:

H. 778. Relating to Marshall County; providing deputies and other assistants for the sheriff, fixing their compensation, and repealing conflicting laws.

Also:

H. 871. To amend Section 1 of Act No. 68, H. 31, Special Session 1965, an Act relating to extending the corporate limits of the town of Madison, so as to provide further the direction in which such corporate limits may be extended.

Also:

H. 872. Relating to counties having a population of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county.

Also:

H. 873. To authorize the Director of Conservation to open a season in counties having a population of not less than 22,350 nor more than 24,500, for the hunting of female deer or unantlered male deer.

Also:

H. 897. To provide the tax assessors of counties having populations of not less than 17,400 nor more than 17,800 an allowance for clerical assistance, such allowance to be payable out of the general funds of the county.

Also:

H. 870. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Also:

H. 868. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Also:

H. 559. Relating to counties having a population of not less than 49,500 nor more than 50,000 according to the most recent federal decennial census; to authorize the county governing body of any such county to appropriate a Contingent Fund out of county funds and to use such Fund for purposes not otherwise provided by law.

Also:

H. 441. Relating to counties having populations of not less than 21,900 nor more than 22,300, according to the most recent federal decennial census; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

Also:

H. 755. To alter, rearrange, and extend the boundaries and corporate limits of the town of Southside in Etowah County so as to annex certain territory to the town.

Also:

H. 756. To alter and rearrange the boundaries between the town of Rainbow City and the City of Gadsden so as to detach certain territory from Rainbow City and annex the same to the City of Gadsden.

Also:

H. 825. To alter, re-arrange, and extend the boundaries of the Town of New Hope in Madison County.

Also:

H. 822. To provide for branch banking in Lamar County, Alabama, subject to the approval of the State Superintendent of Banks.

Also:

H. 721. To authorize the County Commission of Mobile County to make appropriations for the support, operation, maintenance, improvement and expansion of a public Art Gallery in Mobile County for the use and benefit of the public.

Also:

H. 789. To alter, rearrange, redefine and extend the boundary lines and corporate limits of the town of Alabaster, Shelby County, Alabama.

Also:

H. 193. To amend Sections 2, 4, 5, and 11 of Act No. 326, H. 834, Regular Session 1959 (Acts 1959, p. 902) providing for the creation of a Board of Revenue of Winston County; to provide further for the manner of nominating and electing candidates for the office of associate member of the board; for filling vacancies in the office of chairman or associate member, and for approval of bonds required of members of the board.

Also:

H. 195. To provide further for filling vacancies in county offices in Winston County

Also:

H. 469. To apply in Coosa County; regulating further the taking of fish from public streams and impounded waters; authorizing the use of baskets and to provide for a privilege license tax on same.

Also:

H. 513. To apply in counties having populations of not less than 49,500 nor more than 50,500; providing for payment of expense allowances for the deputy or county solicitors of such counties from the county treasury.

Also:

H. 547. To Alter, Rearrange and Extend the Boundaries of the City of Hueytown, Alabama, So As To Include Within the Corporate Limits thereof Certain Additional Territory in Sections 29 and 32, Township 18 South, Range 4 West, Jefferson County, Alabama.

Also:

H. 548. To Alter, Rearrange and Extend the Boundaries of the City of Hueytown, Alabama, So As To Include Within the Corporate Limits thereof Certain Additional Territory in Section 32, Township 18 South, Range 4 West, Jefferson County, Alabama.

Also:

H. 470. To alter or re-arrange the boundary lines of the Town of Rockford, Coosa County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in Coosa County, Alabama.

Also:

H. 516. Relating to all incorporated cities and towns within the State of Alabama, having a population of not less than 70,000 nor more than 120,000, according to the last or any subsequent Federal Decennial Census; authorizing all cities and towns to provide by ordinance for the levy and assessment of sales taxes, parallel to the State levy of sales taxes as levied by Act No. 100, H. 94, Second Special Session 1959, as amended; providing that all such taxes levied or assessed shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, provisions, penalties, fines, punishments, and deductions, as are provided by Act No. 100, H. 94, Second Special Session 1959, as amended; providing that the Council or other governing body within said cities is authorized to provide for further and additional exemptions; authorizing said cities and towns to provide by ordinance for the levy and assessment of a city excise tax or use tax parallel to the State levy and assessment of excise or use taxes, as levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that any levy made of city excise or use taxes shall be applicable to the storage, use or other consumption in said city of tangible personal property whether the same was acquired for storage, use or consumption from a source or transaction within said city, from a source or transaction outside of said city but within the State of Alabama, or from a source or transaction outside the State of Alabama; providing that the levy and assessment of all said excise taxes and use taxes shall be subject to all definitions, exceptions, exemptions, requirements, provisions, penalties, fines, punishments and deductions, as are provided by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that the Council or other governing body is authorized to provide for further and additional exemptions in said levy; providing that all cities and towns shall from time to time adopt by ordinance such rules and regulations for making returns and for ascertainment, assessment, and collection of any taxes levied as it may deem necessary to enforce these provisions; providing that the Council or other governing body may adopt in whole or in part any rules and regulations which may be promulgated by the State Department of Revenue or may modify and amend the same, subject to the discretion of the Council or other governing body; providing that the Council or other governing body shall have the authority to provide by ordinance for the rate of said tax, providing that the same may be levied and assessed in whole or in part, in lieu of any privilege license tax based on gross receipts which at the time of said levy is otherwise provided for by ordinance; pursuant to Title 37, Sections 733 and 735,

Code of Alabama 1940; providing that any previous pledge of the proceeds collected from a privilege license tax levied by ordinance; pursuant to Title 37, Sections 733 and 735, Code of Alabama 1940, shall have full force and effect as to any levy or assessment made pursuant to this Act; providing for the levy and assessment of all taxes herein authorized within the police jurisdiction of any said city or town; providing that the Council or other governing body may by Resolution provide for the administration and collection of all taxes levied and assessed under the provisions of this Act by the State Department of Revenue under the provisions and procedures provided for by Act No. 203, S. 131, Special Session 1965, approved April 20, 1965.

Also:

H. 708. To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts, and the fees, commissions, percentages, allowances, and compensation of the officers of Baldwin County.

Also:

H. 937. Proposing an amendment to the Constitution of Alabama authorizing the imposition of a trial tax or other charge on litigation in Etowah County, the proceeds to be used for establishing, maintaining and operating a public law library in such county.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tempore:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 452. To authorize the Highway Director, the Attorney General, and the Director of Finance to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds when the Governor shall determine that the issuance of its bonds is necessary to assure the availability of funds for payment of the state's share of the cost of such roads and bridges as shall from time to time be constructed with funds to be supplied jointly by the state and the federal government; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust and other fiduciary funds, and shall not create an obligation or debt of the state; to provide that bonds issued by the corporation may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to appropriate and pledge, from a portion of the State Gasoline Excise Tax allocated to the state and not to the counties, funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to

pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President Pro Tempore:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 153. To define the corporate status of production credit associations organized under the laws of the United States and provide the method of taxation of such associations.

Also:

H. 858. To fix the supplemental salaries of official court reporters of the seventh judicial circuit and to provide payment thereof from the county funds of Calhoun County.

Also:

H. 859. To provide expense allowances for the circuit judges of the seventh judicial circuit, payable out of the county funds of Calhoun County; to fix the expiration dates of such expense allowances.

Also:

H. 857. To fix the supplemental salaries of circuit judges of the seventh judicial circuit and to provide payment thereof from the county funds of Calhoun County.

Also:

H. 855. To regulate the compensation of the tax assessor of Calhoun County.

Also:

H. 854. To regulate the compensation of the sheriff of Calhoun County.

Also:

H. 853. To regulate further the compensation of the tax collector of Calhoun County.

Also:

H. 852. To fix the supplemental salary of the circuit solicitor of the seventh judicial circuit and to provide payment thereof from the county funds of Calhoun County.

Also:

H. 861. To provide an expense allowance for the circuit solicitor of the seventh judicial circuit, payable out of the county funds of Calhoun County; to fix the expiration date of such expense allowance.

Also:

H. 860. To fix the salary of the judge of the Calhoun County Court.

Also:

H. 862. To amend Sections 3, 5, and 7 of Act No. 251, H. 475, approved July 29, 1953 (Acts of Alabama, 1953, p. 316), entitled "An Act To create and establish the Juvenile and Domestic Relations Court of Calhoun County; to define its jurisdiction and powers; to provide for the transfer of certain cases from the dockets of the Calhoun County Court and other courts; to provide for the officers of the court, their powers, duties, tenure, and compensation; to prescribe rules of procedure for the court; to provide for the execution of the process of the court and the operation thereof; and to provide for a commission to aid the court in performing its duties, and prescribing the duties and powers of the commission", by providing further for the salary of the judge of the Juvenile and Domestic Relations Court of Calhoun County, by providing further for a substitute judge for said court in the absence of the judge, and by providing further for the fixing of the salaries of the chief probation officer and such assistant probation officers as may be appointed as might be necessary and proper in order to perform the duties made necessary by the business of the court.

Also:

H. 764. To amend Section 2 of an act approved June 3, 1953, establishing a board of revenue for Hale County (Act No. 61, H. 209, Acts of Alabama 1953, Vol. I, p. 89) so as to provide for the election of members of the board of revenue by districts.

Also:

H. 832. Providing for the appointment of a temporary Judge of Probate and also a Special Judge of Probate in each County in Alabama having a population of not less than 300,000 and not more than 500,000 according to the last or any succeeding federal census; to serve in lieu of the regularly elected Judge of Probate of such County; prescribing the qualifications, appointment, term, duties, powers, responsibility, authority, compensation, termination of term, of such Judge of Probate of such counties.

Also:

H. 876. To fix the salary or compensation of the Clerk of the Circuit Court of Tuscaloosa County, Alabama, the Tax Collector of Tuscaloosa County, Alabama, and the Tax Assessor of Tuscaloosa County, Alabama.

Also:

H. 884. To provide for and require reidentification of the registered voters of counties having a population of not less than 48,020 or more than 49,750 according to the last or any subsequent federal census and imposing duties upon the Judge of Probate and upon the electors whose names appear on the list of qualified voters in such counties.

Also:

H. 889. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Henry County to incur additional indebtedness to the extent of not exceeding \$700,000 in principal amount, and to issue its general obligation bonds in evidence of the indebtedness so incurred, for the construction and equipment of a new courthouse and a new jail in said county, and to specify conditions precedent to such action.

Also:

H. 904. Relating to counties having populations of not less than 76,000 nor more than 96,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Also:

H. 905. Relating to Counties having a population of not less than 76,000 and not more than 96,000 according to the last and any subsequent decennial federal census; to authorize county governing bodies to provide clerk hire allowances for the offices of the county court, intermediate court, and the office of the Register of the Circuit Court.

Also:

H. 927. Regulating the compensation of registrars of Geneva County.

Also:

H. 928. To amend the following Section of Act No. 103, H. 363, approved June 18, 1953 (Acts of Alabama 1953, Pages 145-154) which provides for the establishment of a City of Dothan Pension and Retirement System.

Also:

H. 562. To apply only in counties having populations of not less than 300,000 nor more than 600,000 according to the last or any future federal census; to authorize the County Board of Health in such counties to designate a treasurer for such Boards, and to authorize such Board to designate either the treasurer of the county or of any city or town within the county to be the treasurer of such Board; to prescribe the duties, liabilities and bond of such treasurer; and to provide that all moneys, from whatever source derived, which are appropriated to such Board shall be paid to the treasurer of such Board for disbursement as directed by said Board; and to authorize the State Comptroller, or the treasurer of the State Board of Health by whatever name called, the State Board of Health, and the State Health Officer, to pay to the treasurer of such County Board all moneys appropriated or allocated for expenditure by or under the direction of such County Board, from whatever source derived, including moneys paid by or intrusted to them or any of them by the federal government or any agency thereof, for health work, which in turn have been allocated by such State Board for health work in such county, and to provide that all employees of such County Board shall be paid for their services from the funds of such County Board in the hands of its treasurer; and to provide that a copy of a payroll bearing the certificate of the treasurer of such County Board that the employees named on the payroll have been paid the respective amounts indicated by said payroll out of the funds of such County Board shall authorize the State Comptroller or treasurer of the State Board of

Health by whatever name called, the State Board of Health, and the State Health Officer, to reimburse such County Board, out of the funds appropriated or allocated for health work in the county, from whatever source derived and including moneys from the Federal government or any agency thereof, for so much of the amount expended in meeting said payroll as by agreement between such State Board and such County Board as to be paid for out of such funds appropriated or allocated by the State Board of Health for health work in such county; and to provide that the disbursement of moneys of such County Board, by the treasurer of such Board, in payment of salaries or compensation of employees of such Board shall be subject to and governed by the provisions of any Civil Service System applicable to such employees.

Also:

H. 953. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

H. 977. To authorize the governing body of Coffee County to appropriate county funds for the relief of John Carlon Reynolds.

Also:

H. 978. To relieve the officers and members of the governing body of Coffee County of personal liability for payment of an equitable claim against the county.

Also:

H. 644. To repeal Act No. 479, H. 1030, approved September 6, 1957 (Acts 1957, V. I, p. 662), an Act entitled "An Act Relating to Limestone County; to provide an additional temporary clerk for the judge of probate, whose compensation will be paid from the county treasury."

Also:

H. 645. To authorize the board of education of Limestone County to construct or provide for the construction of an administrative building to be paid for out of its portion of the proceeds of county sales and use taxes.

Also:

H. 646. Authorizing the court of county commissioners, board of revenue, or other like governing body of Limestone County to appropriate county funds to establish a contingent fund, and providing for use of such fund.

Also:

H. 647. To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423) an Act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputy sheriffs, so as to regulate further the compensation of such deputy sheriffs.

Also:

H. 648. Relating to Limestone County: To amend further Act No. 354, H. 756, approved August 17, 1953 (Acts 1953, p. 422), entitled "An Act Relating to Limestone County: To fix the compensation of the members of the Board of Revenue of Limestone County, Alabama, other than the Chairman; to provide that the effective date of this act shall be the first Monday after the second Tuesday in January, 1955, and to

repeal all laws or parts of laws in conflict herewith," so as to fix further such compensation.

Also:

H. 649. To amend further Sections 2 and 3 and to amend Sections 1 and 4 of Act No. 204, H. 544, approved September 30, 1959 (Acts 1959, V. I, p. 738), an Act entitled "An Act To fix and provide for payment of the compensation of clerks and assistants of certain officers of Limestone County," so as to further fix such compensation.

Also:

H. 650. To amend Section 1 of Act No. 596, H. 1087, approved August 29, 1961 (Acts 1961, V. I, p. 708), an Act entitled "An Act to authorize the employment of an additional clerk by the circuit clerk and register in chancery of Limestone County and to provide for the compensation of such clerk," so as to further fix such compensation.

Also:

H. 734. To apply only in counties in the state having a population of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 736. To amend further Code of Alabama Title 17, Section 27, in relation to the meeting days of boards of registrars in counties having populations of not less than 57,000 nor more than 61,000.

Also:

H. 804. To exempt employees of schools of nursing operated by or under municipal hospitals in all counties having a population of not less than 76,000 and not more than 96,000 from the application of any civil service system in force and effect in the municipalities in which such municipal hospitals are located.

Also:

H. 821. To amend Section 1 of Act No. 106, H. 98, First Special Session 1964 (Acts 1964, p. 167), an act relating to counties having populations of not less than 13,700 nor more than 14,300.

Also:

H. 826. To regulate further the compensation of the circuit solicitor of the Twenty-third Judicial Circuit by providing a supplemental salary payable out of the general fund of Madison County.

Also:

H. 249. To provide for the payment of certain expenses of the County or deputy solicitors of all counties having a population of not more than 10,800 according to the most recent or any subsequent federal decennial census.

Also:

H. 250. To regulate the compensation of members of the County Board of Education in counties having a population of not more than 10,800 according to the most recent or any subsequent federal decennial census.

Also:

H. 350. Further regulating commercial fishing in public waters in Cherokee County, so as to prescribe limitations relating to the fishing gear to be used by licensed commercial fishermen.

Also:

H. 451. To amend further Section 657 of Title 51, Code of Alabama (1940), which provides for division of a portion of the State Gasoline Excise Tax between the state and the counties.

Also:

H. 505. To provide an additional clerical allowance to the circuit clerk of all counties having populations of not less than 17,400 nor more than 17,800, such allowance to be payable out of the general funds of the county.

Also:

H. 757. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Southside in Etowah County so as to annex certain territory to the town.

Also:

H. 759. Further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties.

Also:

H. 766. Relating to Jackson County; to provide an expense allowance to the judge of the Jackson County Court of Jackson County, Alabama.

Also:

H. 767. Relating to Jackson County, Alabama to amend Act No. 69, H. B. 74, Second Special Session of 1959, by providing that the ex-officio solicitor of the Jackson County Court shall receive a salary of four thousand eight hundred (\$4,800.00) dollars per annum.

Also:

H. 784. To establish a merit system for the City of Decatur; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for

the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such Board in such protests; to require such Board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain rights to the governing body of the city; and to repeal conflicting laws, including Act No. 788 adopted at the 1961 Regular Session of the Legislature.

Also:

H. 794. Relating to the twelfth judicial circuit; authorizing the payment of expense allowances to the circuit solicitor.

Also:

H. 827. To amend Section 1 of Act No. 166, H. 197, approved July 16, 1962 (Acts 1962, p. 212), an Act entitled "An Act to fix the compensation of the coroner of Madison County."

Also:

H. 828. Relating to the Twenty-third Judicial Circuit; providing for appointment of an additional clerk by the Circuit Solicitor and redefining the salaries of the Chief Clerk as authorized by Act No. 470, H. 899, Regular Session 1947, and the second clerk as authorized by Act No. 489, S. 411, Regular Session 1963, and to further prescribe the duties of the chief clerk.

Also:

H. 843. To apply only in counties having populations of not less than 24,800 nor more than 25,400; regulating the compensation and allowances of members of the county board of education.

Also:

H. 530. To amend Act No. 688, H. 1093, approved September 19, 1949, an act providing for the commissioners' districts of Randolph County.

Also:

H. 536. To fix and proxide for payment of the compensation of the secretary of the circuit solicitor in any county having a population of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census.

Also:

H. 537. To provide pay raises for deputy sheriffs and other assistants of the sheriff in all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census.

Also:

H. 539. Relating to counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census; to provide an expense allowance for the county superintendent of education in each such county payable out of county school funds.

Also:

H. 566. Relating to counties having populations of not less than 51,000 nor more than 56,000; to provide for the payment of an expense allowance to coroners of such counties.

Also:

H. 785. Relating to Randolph County; regulating further the compensation, allowances, and duties of members of the court of county commissioners, board of revenue, or other like governing body of the county; repealing conflicting laws.

Also:

H. 788. To alter, rearrange, redefine and extend the boundary lines and corporate limits of the town of Helena, Shelby County, Alabama.

Also:

H. 802. To provide for the compensation of jurors in Bibb County.

Also:

H. 808. To apply only in counties having populations of not less than 31,000 nor more than 32,000; providing expense allowances payable from the county treasury for the coroners of such counties.

Also:

H. 812. To amend and extend the Corporate Limits of the City of Russellville, Alabama.

Also:

H. 839. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Marion so as to annex certain territory to the city.

Also:

H. 866. To apply only in counties having populations of not less than 55,000 nor more than 60,000; regulating the compensation and expense allowances of members of the county board of education.

Also:

H. 875. To amend Section 10 of Act No. 591, H. 1047, Regular Session 1961 (Acts 1961, V. I, p. 699), an Act levying certain special privilege license and excise taxes for public school purposes in School District Two of Perry County, so as to further prescribe how the proceeds from such taxes shall be distributed.

Also:

H. 877. To apply only in counties having populations of not less than 32,000 nor more than 33,000; providing expense allowances for members of the board of revenue or other like governing body of the county.

Also:

H. 898. To amend Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide for an expense allowance for the resident engineer in charge of county roads.

Also:

H. 409. To amend Act No. 107, adopted February 14, 1956, as amended by Act No. 155, adopted August 2, 1957, as amended by Act No. 455 approved September 6, 1957 as further amended and modified by adding thereto in the caption thereof immediately following the words "permanent municipal employees" the words "employees of the Prichard Public Libraries" and by amending Section III of such act by inserting immediately following the words "all permanent employees" the words "employees of the Prichard Public Libraries."

Also:

H. 465. Relating to Chilton County; further amending Act No. 471, H. 812, Regular Session 1959, so as to provide conformity between the state and county sales and use tax laws in relation to exemptions, deductions, and exclusions.

Also:

H. 529. To provide for the election by districts of members of the court of county commissioners, board of revenue, or other like governing body of Randolph County, and making the operation of the Act contingent upon approval of the voters of Randolph County who vote thereon in a referendum election provided for in the Act.

Also:

H. 911. To repeal Act No. 353, H. 1101, approved September 1, 1915 (Local Acts 1915, p. 255), an Act abolishing the office of county treasurer of Crenshaw County and providing for the deposit of county funds.

Also:

H. 919. To apply only in counties having populations of not less than 42,000 nor more than 46,000; providing a clerk hire allowance for the county or deputy solicitor of such counties.

Also:

H. 924. To amend and extend the corporate limits of the City of Russellville, Alabama.

Also:

H. 925. To amend and extend the corporate limits of the City of Russellville, Alabama.

Also:

H. 933. To amend further Act No. 476, H. 627, Regular Session 1955, (Acts 1955, v. II, p. 1084), an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit and providing for the appointment, duties and compensation of such officer.

Also:

H. 949. Relating to counties having populations of not less than 31,500 nor more than 33,500; regulating further the insuring of certain public buildings in such counties, together with the equipment, furniture, fixtures, and other property in such buildings.

Also:

H. 950. To establish for Shelby County, Alabama a Law and Equity Court: to define its jurisdiction and powers; to provide for its officers and appointment, election, terms of office, power, duties and compensation; to provide a Court Reporter for said Court, whenever needed, and to fix and prescribe his duties and compensation; to provide for a secretary for the Judge of said Court, and to prescribe her duties and compensation; to provide for a clerical assistant for the Deputy Solicitor of said Court and to prescribe her duties and compensation; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Shelby County Law and Equity Court, Probate Court and the Juvenile Court of Shelby County, Alabama; and to give the said Court juvenile and domestic relations jurisdiction; and to abolish the Shelby County Law and Equity Court of Shelby County, Alabama.

Also:

H. 951. To provide for a Personnel Appeals Board for Shelby County and prescribing the qualifications, terms, duties, and compensation of its members, and to provide rules relating to political activities by employees of Shelby County.

Also:

H. 957. To alter, rearrange and fix the boundaries of the City of Tuscaloosa, of the State of Alabama, so as to include within the boundaries thereof the Northwest Quarter of the Northwest Quarter of Section 16, Township 21, South, Range 9 West.

Also:

H. 961. To amend further Act No. 658, H. 1030, approved November 21, 1959, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use, or other consumption in the county of cigarettes.

Also:

H. 962. Relating to counties having populations of not less than 42,000 nor more than 46,000; providing clerk-hire allowances for certain county officers in such counties.

Also:

H. 506. Relating to counties having populations of not less than 17,400 nor more than 17,800; to provide clerical assistants for the office of the judge of probate of such counties, and to provide a clerk hire allowance for such county judges of probate, payable out of the general funds of the county.

Also:

H. 73. To amend Code of Alabama 1940, Title 30, Section 54, in relation to struck juries in the Sixteenth Judicial Circuit, Sixth Judicial Circuit and Seventh Judicial Circuit.

Also:

H. 742. To apply only in Walker County: To authorize, provide for, and regulate the introduction in evidence in any court in such county, when the original thereof would be relevant and material, of certified copies of certain hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient

in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probative value of such records.

Also:

H. 743. Relating to Walker County, providing for appointment of a clerk by the register of the circuit court and for payment of such clerk's salary by the county.

Also:

H. 744. To amend Sections 1 and 2 of Act No. 45, H. 172, Regular Session 1957, relating to paid leaves of absence for certain employees of Walker County.

Also:

H. 908. To alter, extend and rearrange the boundary lines and corporate limits of the city of LaFayette in Chambers County, Alabama, so as to annex certain territory to the said city.

Also:

H. 909. To amend Act No. 496, H. 930, Regular Session 1953 (Acts 1953, p. 624) which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices.

Also:

H. 910. To provide for the institution and prosecution of misdemeanors in the Circuit Court of Coffee County otherwise than by indictment of the grand jury.

Also:

H. 921. To apply in all counties having populations of not less than 31,000 nor more than 32,000; authorizing nighttime hunting of raccoons with rifle or shotgun; repealing conflicting laws.

Also:

H. 803. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Bullock County.

Also:

H. 38. Proposing an amendment to the Constitution of Alabama relating to the City of Evergreen in Conecuh County, and ordering an election thereon.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 3, 1965

To the Legislature of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am very much in favor of legislation which would include the employees of the Board of Trustees of the Alabama State Hospitals under the Merit System Act. It is my desire that the legislation be effective to cover all employees of the Alabama State Hospitals on the effective date of the Act, which I would propose be fixed as October 1, 1966.

The employees of the Alabama State Hospital System are entitled to be brought under the provisions of the Merit System and I hope the legislature will pass an effective measure to see that this is accomplished.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and ordered spread upon the Journal.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Corrections of Alabama.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 3, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the Honorable William Mitch of Birmingham, as a member of the Board of Corrections of Alabama, for the term expiring July 17, 1975.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 248, with a suggested executive amendment.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

JULY 13, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 248, without my signature and approval, and with a suggested executive amendment.

Amend said Senate Bill 248 by striking therefrom the last sentence in Section 1, which reads as follows:

"However, amounts paid to election officers under this Act for per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State."

and substitute in lieu thereof, the following sentence:

"However, amounts paid to election officers under this Act for compensation, per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State."

I have discussed the suggested executive amendment with the author of this bill and it has his approval, and, if adopted by you, will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Montgomery, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 248. Relating to Greene County; regulating and providing for the payment of compensation of election officers.

which said amendment is set out in the foregoing Message from the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Brannan	Hammond	McCain	Robison (Montgomery)
Carter	Hawkins	McDow	Robison (Pickens)
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Oden	Taylor
Dumas	James	Reynolds	Tyson
Eddins	Lolley		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 420. Relating to counties having population of not less than 65,000 nor more than 95,000; regulating and providing for the payment of compensation of the Sheriff.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 420, the title of which is set out in the foregoing Message from the House, to-wit:

COMMITTEE AMENDMENT TO S. B. 420

Amend Section 1 of Senate Bill No. 420 by striking the words and figures: "nine thousand five hundred dollars (\$9,500)" and inserting in lieu thereof, the following: "eight thousand five hundred dollars (\$8,500)"

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Montgomery)
Adams	Gilchrist	McDow	Shelton
Allen	Givhan	Metcalf	Smith
Brannan	Hammond	Nichols	Taylor
Carter	Hornsby	Reynolds	Tyson
Clark	Horton	Roberts	Wilson
Eddins	Lowe		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Holladay:

H. 841. To revise and amend Section 68 of Title 36 of the Code of Alabama, 1940, as amended and recompiled relating to the cancelling, suspending or revoking of license or driving permit.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 841. To the Committee on Judiciary.

BILLS ON THIRD READING

The Bill:

H. 190. To amend Section 172 of Title 2 of the Code of Alabama of 1940 relating to the annual permit required for the operation of a cotton gin.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Roberts
Adams	Eddins	Lowe	Robison (Pickens)
Allen	Gilchrist	Mathews	Shelton
Bentley	Givhan	McCain	Smith
Brannan	Hammond	McDow	Taylor
Carter	Hawkins	Metcalfe	Tyson
Cooper	James	Montgomery	Wilson

—27

Nays:

—0

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President Pro Tempore:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 38. To amend Section 81 of the Title 5 of the Code of Alabama of 1940.

Also:

S. 256. To alter, rearrange and extend the boundaries and corporate limits of the City of Huntsville so as to annex certain territory to the city.

Also:

S. 347. To provide for payment of expenses of circuit solicitors in judicial circuits in Alabama composed of one county where the population of such county exceeds 110,000 and is less than 160,000 according to the last preceding or any succeeding federal decennial census, to be paid out of the county treasury of such counties.

Also:

S. 348. To amend Section 1, Act No. 22, H. 108, First Special Session 1964, an act providing supplementary salaries for judges of the circuit court in judicial circuits composed of one county having a population of not less than 110,000 nor more than 160,000 (Acts 1964, p. 43).

Also:

S. 369. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

Also:

S. 372. To apply only in counties having populations of not less than 19,000 nor more than 19,500; to provide that the county governing body of any such county may authorize the tax collector to send taxpayers notices of taxes due and receipts for taxes paid; to provide that expenses incurred in the sending of such notices and receipts shall be paid from the general fund of the county.

Also:

S. 396. To amend Section 1, Act No. 11, S. 59, Regular Session 1959, an act fixing the compensation of certain officers of Dallas County.

Also:

S. 399. To alter or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

S. 406. To provide an expense allowance payable from the county treasury to the circuit judges in all judicial circuits composed of only one county which has a population of not less than 65,000 nor more than 95,000.

Also:

S. 407. To provide allowances for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 65,000 nor more than 95,000.

Also:

S. 408. To provide for the employment of additional deputies of the sheriff for Wilcox County.

Also:

S. 419. To alter or re-arrange the boundary lines of the City of Childersburg, Talladega County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Talladega County, Alabama.

Also:

S. 420. Relating to counties having population of not less than 65,000 nor more than 95,000; regulating and providing for the payment of compensation of the Sheriff.

Also:

S. 421. To apply in counties having populations of not less than 65,000 nor more than 95,000; to provide further for the salary and allowances of the members of the county governing body of any such county.

Also:

S. 100. Proposing an amendment to the Constitution relative to state income taxes.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the unfinished business for today, which was the Bill:

H. 400. To make a supplemental appropriation to the Department of Public Safety.

as amended. The question was on the motion of Mr. Horton that further consideration of the Bill, H. B. 400, as amended, be postponed until the Thirtieth Legislative Day.

The President and Presiding Officer of the Senate ruled that the motion to postpone was now moot.

And said Bill, H. B. 400, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Carter	Evans	Horton
Adams	Clark	Gilchrist	James
Allen	Cooper	Givhan	Lolley
Bentley	Dumas	Hammond	Lowe
Brannan	Eddins	Hornsby	Mathews

McCain
McDow
Metcalf
Nichols

Oden
Reynolds
Robison (Montgomery)

Robison (Pickens)
Shelton
Smith

Taylor
Tyson
Wilson

—32

Nays:

—0

RESOLUTIONS

Mr. Tyson offered the following Senate Joint Resolution, to-wit:

S. J. R. 51

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, three-fifths of all the members elected to each house thereof concurring, that Section 93, Article 4 of the Constitution of 1901, as last amended, be amended further as follows: Strike out the words and figures, "When authorized by appropriate laws passed by the legislature the state may at a cost not exceeding ten million dollars engage in the work of internal improvement, or promoting, developing, constructing, maintaining, and operating all harbors and seaports within the state or its jurisdiction, provided, that such work of improvement or improvements shall always be and remain under the management and control of the state, through its state harbor commission, or other governing agency." and insert in lieu thereof the following:

The state may at a cost not exceeding ten million dollars engage in promoting, developing, improving, maintaining and operating all docks, wharves, harbors and seaports within its jurisdiction, and such works of internal improvement shall be under the management, supervision, and control of the Alabama port authority, which shall consist of twelve members. The governor, the lieutenant-governor, and the commissioner of agriculture and industries shall ex officio be members of the port authority and nine members thereof shall be appointed by the governor with the advice and consent of the senate, as hereinafter provided. The city governing body of the City of Mobile, the county governing body of Mobile County, the county governing body of Baldwin County and the governing body of the Mobile Area Chamber of Commerce shall each nominate one person to be appointed to the authority by the governor; and the governor shall submit the names of the persons so nominated to the senate as four of his appointments to the authority. The governor shall appoint the remaining five members of the authority, without nominations, but two of them must represent the agricultural interests of the state, two the mining industry, and manufacturing industry, and one the fisheries of the state. Three of the members first appointed shall be appointed for terms of two years, three for terms of four years and three for terms of six years. Successors to these first members of the port authority shall be appointed for terms of six years each in the same manner that the first members of the board are appointed. The senate shall confirm or reject all appointees, as it shall determine to be in the best interest of the state; if it reject the names of any appointees, it shall thereupon elect members of the port authority instead of those rejected. The port authority shall have authority to appoint a state docks director, but any person so appointed must have had at least ten years of responsible experience in connection with marine terminal operations or foreign trade. No member of the authority shall receive any pay or emolument other than his actual expense incurred in the discharge of his duties as a member of such authority. Neither the port authority hereby provided for nor any member thereof shall exercise any of the powers or duties hereby conferred until the members thereof have been appointed and their appointments duly confirmed by the senate. Vacancies occurring in the membership from death, resignation or otherwise shall be filled by the governor with the advice and consent of the senate,

and such appointees shall hold office for the unexpired term. The legislature may enact laws to implement this amendment.

RESOLVED FURTHER, That an election shall be held on this proposed amendment to the Constitution on the first Tuesday after the expiration of three months from final adjournment of this session of the legislature.

Which was read and referred to the Standing Committee on Seaports.

BILLS ON THIRD READING RESUMED

The Bill:

H. 2. Relating to taxation; exempting herbicides from the state sales and use taxes.

was taken up.

Mr. Robison (Montgomery) offered the following amendment to the Bill, to-wit:

Amendment to H. B. 2

Amend House Bill 2 by striking Section 4 of said bill and substitute the following:

"Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

On motion of Mr. Givhan, said amendment was laid on the table.

Yeas 17; Nays 15.

Yeas:

Messrs.:	Cooper	Mathews	Reynolds
Adams	Evans	Metcalf	Roberts
Allen	Givhan	Nichols	Tyson
Brannan	Lolley	Oden	Wilson
Clark	Lowe		

—17

Nays:

Messrs.:	Eddins	Horton	Montgomery
Bentley	Gilchrist	James	Robison (Montgomery)
Carter	Hawkins	McCain	Robison (Pickens)
Dumas	Hornsby	McDow	Shelton

—15

Mr. Robison (Montgomery) then offered the following amendment to the Bill, H. B. 2, to-wit:

Amendment to House Bill 2

Amend House Bill 2 by striking Section 4 of said bill and substitute the following:

"Section 4. This act shall become effective October 1, 1965."

Mr. Givhan moved that the amendment offered by Mr. Robison (Montgomery) be laid on the table, and the motion to table was lost.

Yeas 15; Nays 16.

Yeas:

Messrs.:	Cooper	Lolley	Oden
Adams	Evans	Lowe	Reynolds
Allen	Givhan	Mathews	Tyson
Brannan	James	Nichols	Wilson

—15

Nays:

Messrs.:	Gilchrist	McCain	Robison (Montgomery)
Bentley	Hawkins	McDow	Robison (Pickens)
Carter	Hornsby	Montgomery	Shelton
Dumas	Horton	Roberts	Smith
Eddins			

—16

The question recurred on the amendment offered by Mr. Robison (Montgomery) to the Bill, H. B. 2, and said amendment was then adopted by the Senate.

Yeas 15; Nays 14.

Yeas:

Messrs.:	Eddins	Horton	Robison (Montgomery)
Bentley	Gilchrist	McCain	Robison (Pickens)
Carter	Hawkins	Montgomery	Shelton
Dumas	Hornsby	Roberts	Smith

—15

Nays:

Messrs.:	Cooper	Lowe	Reynolds
Allen	Evans	Mathews	Tyson
Brannan	Givhan	Nichols	Wilson
Clark	Lolley	Oden	

—14

Mr. Wilson offered the following substitute for the Bill, H. B. 2, as amended, to-wit:

Substitute for H. B. 2

**A BILL
TO BE ENTITLED
AN ACT**

Relating to taxation; providing certain exemptions from the state sales and use taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. The gross proceeds of sales of herbicides for agricultural uses by whomsoever sold shall be exempted from the computation of the amount of the tax levied, assessed or payable under the provisions of the state's sales tax statutes (Act No. 100, 2nd Special Session 1959, as amended) and the storage, use or other consumption of herbicides shall be exempted from the use tax levied by Title 51, Chapter 20, Article 11, Code of Alabama 1940, as amended. The term herbicides as used in this act means any substance or mixture of substances intended to prevent, destroy, repel, or retard the growth of weeds or plants. It shall include pre-emergence herbicides, post-emergence herbicides, lay-by herbicides, pasture herbicides, defoliant herbicides, and dessicant herbicides.

Section 2. The gross proceeds of sales of all bread, wheat, flour, cornmeal and all foodstuffs made from the derivatives thereof shall be exempted from the computation of the tax levied, assessed or payable under the state's sales tax statutes contained in Act No. 100, 2nd Special Session 1959, as amended, and the storage, use or other consumption of all bread, wheat, flour, cornmeal and all foodstuffs made from the derivatives thereof shall likewise be exempted from the use tax levied by Title 51, Chapter 20, Article 11, Code of Alabama 1940, as amended.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective on the first day of October 1967.

On motion of Mr. Givhan, said substitute was laid on the table.

Yeas 24; Nays 7.

Yeas:

Messrs.:	Evans	Lolley	Nichols
Adams	Gilchrist	Lowe	Reynolds
Bentley	Givhan	Mathews	Roberts
Brannan	Hornsby	McCain	Robison (Montgomery)
Clark	Horton	McDow	Robison (Pickens)
Dumas	James	Montgomery	Smith
Eddins			—24

Nays:

Messrs.:	Carter	Hawkins	Tyson
Allen	Cooper	Taylor	Wilson
			—7

And said Bill, H. B. 2, as amended, was then read a third time at length and passed.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Dumas	Horton	Montgomery
Adams	Eddins	James	Reynolds
Allen	Evans	Lolley	Robison (Montgomery)
Bentley	Gilchrist	Lowe	Robison (Pickens)
Brannan	Givhan	Mathews	Smith
Carter	Hawkins	McCain	Tyson
Clark	Hornsby	McDow	Wilson
Cooper			—28

Nays: Messrs: Roberts, Shelton —2

MOTION TO RECONSIDER

Mr. Robison (Montgomery) moved that the Senate reconsider the vote by which it passed the Bill, H. B. 2, as amended, and further moved that the motion to reconsider be laid on the table. The motion to table was lost.

Yeas 15; Nays 18.

Yeas:

Messrs.:	Eddins	Horton	Roberts
Bentley	Gilchrist	McCain	Robison (Montgomery)
Carter	Hawkins	McDow	Robison (Pickens)
Dumas	Hornsby	Montgomery	Smith

—15

Nays:

Messrs.:	Cooper	Lolley	Reynolds
Adams	Evans	Lowe	Taylor
Allen	Givhan	Mathews	Tyson
Brannan	Hammond	Nichols	Wilson
Clark	James	Oden	

—18

The question then recurred on the motion of Mr. Robison (Montgomery) to reconsider the vote by which it passed the Bill, H. B. 2, as amended. Mr. Cooper moved that the motion to reconsider be postponed until the next Legislative Day.

MOTION TO ADJOURN LOST

At 5:27 P. M., Mr. Carter moved that the Senate adjourn until Friday, August 6, 1965, at 10 o'clock A. M., which motion was lost.

Yeas 4; Nays 31.

Yeas:

Messrs.:	Dumas	Eddins	Shelton
Carter			

—4

Nays:

Messrs.:	Gilchrist	Lowe	Reynolds
Adams	Givhan	Mathews	Roberts
Allen	Hammond	McCain	Robison (Montgomery)
Bentley	Hawkins	McDow	Robison (Pickens)
Brannan	Hornsby	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Evans	Lolley	Oden	Wilson

—31

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate then proceeded to further consideration of the motion by Mr. Cooper that the motion of Mr. Robison (Montgomery) to reconsider the Bill, H. B. 2, as amended, be postponed until the next Legislative Day. The motion to postpone was lost.

Yeas 17; Nays 18.

Yeas:

Messrs.:	Cooper	Lolley	Reynolds
Adams	Evans	Lowe	Taylor
Allen	Givhan	Mathews	Tyson
Brannan	Hammond	Nichols	Wilson
Clark	James		

—17

Nays:

Messrs.:	Gilchrist	McDow	Robison (Montgomery)
Bentley	Hawkins	Metcalf	Robison (Pickens)
Carter	Hornsby	Montgomery	Shelton
Dumas	Horton	Oden	Smith
Eddins	McCain	Roberts	—18

The question then recurred on the motion of Mr. Robison (Montgomery) that the Senate reconsider the vote by which it passed the Bill, H. B. 2, as amended. The motion to reconsider was lost.

Yeas 17; Nays 18.

Yeas:

Messrs.:	Cooper	Lolley	Reynolds
Adams	Evans	Lowe	Taylor
Allen	Givhan	Mathews	Tyson
Brannan	Hammond	Nichols	Wilson
Clark	James		—17

Nays:

Messrs.:	Gilchrist	McDow	Robison (Montgomery)
Bentley	Hawkins	Metcalf	Robison (Pickens)
Carter	Hornsby	Montgomery	Shelton
Dumas	Horton	Oden	Smith
Eddins	McCain	Roberts	—18

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Rogers, Jones (Monroe) and Merrill:

H. 305. To provide for the service of process on necessary parties in certain partition proceedings in equity court.

Also:

By Messrs. Rogers, Jones (Monroe) and Merrill:

H. 134. To amend Code of Alabama 1940, Title 47, Section 196, relating to partition proceedings in probate court.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 305 and 134. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turner (Crenshaw):

H. 1107. To amend further Code of Alabama 1940, Title 51, Section 348, which relates to the franchise tax levied on foreign corporations.

Also:

By Messrs. Goodwyn, Little and Pierce:

H. 218. To provide for exclusion of certain municipal privilege licenses in the computation of the state lodgings tax levied and imposed by Act No. 248, Regular Session 1955, as amended.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1107 and 218. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pierce, Little and Goldthwaite:

H. 731. To amend Code of Alabama 1940, Title 25, Section 5, in relation to the powers of municipal housing authorities in cities having populations of not less than 125,000 nor more than 200,000.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 731. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pennington, Reynolds, Baker (Madison), Brewer, Albea, Bailes, Barnett, Bethea (B), Boston, Bowers, Branyon, Brown (Tuscaloosa), Burnham, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Casey, Collins (Jefferson), Collins (Mobile), Daniel, Davis, Doggett, Downing, Drake, Edington, Edwards (Escambia), Engel, Gilmore, Hankins, Hannah, Hawkins, Hester, Hogan, Holladay, Jones (Covington), McDermott, Merrill, Moore, Nabors, Owens, Posey, Pruitt, Rast, Rogers, Salter, Smith, Turner (Crenshaw), Turner (Limestone) and Vacca.

H. 1060. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of

Alabama in principal amount not exceeding one million nine hundred thousand dollars (\$1,900,000) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Army and the National Aeronautics and Space Administration.

Also:

By Messrs. Pennington, Reynolds, Baker (Madison), Brewer, Albea, Bailes, Barnett, Bethea (B), Boston, Bowers, Branyon, Brown (Tuscaloosa), Burnham, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Casey, Collins (Jefferson), Collins (Mobile), Daniel, Davis, Doggett, Downing, Drake, Edington, Edwards (Escambia), Engel, Gilmore, Hankins, Hannah, Hawkins, Hester, Hogan, Holladay, Jones (Covington), McDermott, Merrill, Moore, Nabors, Owens, Posey, Pruitt Rast, Rogers, Salter, Smith, Turner (Crenshaw), Turner (Limestone) and Vacca.

H. 1061. To provide facilities for displaying certain exhibits in cooperation with the Army and NASA; creating the Army and Space Exhibits Commission as an agency of the State of Alabama and providing for its membership, terms, authority, and duties; authorizing the issuance of bonds; and providing exemptions from all taxes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1060 and 1061. To the Committee on Military.

(The above numbered Bill, H. B. 1060, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 213. To create the office of judge of the juvenile court in all counties having populations of not less than 225,000 nor more than 500,000 according to the last or any subsequent federal decennial census as a separate office; and to provide for the appointment, election, tenure, qualification, duties, authority, compensation and commissioning of such judge in all such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 213, the title of which is set out in the foregoing Message from the House, to-wit:

Substitute for S. B. 213

A BILL
TO BE ENTITLED
AN ACT

To create the office of judge of the juvenile court in all counties having populations of not less than 225,000 nor more than 500,000 according to the last or any subsequent federal decennial census as a separate office; and to provide for the appointment, election, tenure, qualification, duties, authority, compensation and commissioning of such judge in all such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply only in counties of this State which have populations of not less than 225,000, nor more than 500,000 according to the last or any subsequent federal decennial census.

Section 2. In every county in which this act applies the office of judge of the juvenile court hereby created shall be an office separate and apart from that of judge of any other court. The judges of all such courts shall be appointed or elected in the manner hereinafter prescribed. Every judge of a juvenile court of a county to which this act applies shall have been a citizen of the State of Alabama and of the county for which he is appointed for at least five years before the beginning of his term of office. He shall also be learned in the law, at least twenty-five years of age, of high moral character and of clean life. He shall be selected for his special fitness by training, education, and experience to deal with the problems of dependent, neglected and delinquent children and of the home and family life.

Section 3. The judges of juvenile courts in all counties to which this act applies shall be elected by the qualified electors of their respective counties at the same time and for the same term of office as circuit court judges. If the judge of another court is serving ex officio as judge of the juvenile court of any county when this act becomes applicable in such county the presiding judge of the circuit court of such county shall immediately call a meeting of the circuit judges of the circuit in which such county lies to appoint the judge of such juvenile court. Notice of the time and place of such meeting shall be given in writing by the presiding judge to each circuit judge of such circuit at least three days prior to the day of the meeting. It shall be the duty of all the judges of the circuit court to be present at all such meetings and adjourned meetings to proceed to fill the office of judge of the juvenile court as herein provided. However, a majority of the judges of the circuit shall constitute a quorum at any meeting held for the purpose of appointing a judge of the juvenile court; and any such meeting may be adjourned from time to time; provided, that any juvenile judge so appointed must receive the votes of a majority of the circuit judges of such circuit. The clerk of the circuit court of the county shall act as secretary of the meeting and shall certify the appointment of the judge of the juvenile court to the governor of Alabama. The first judge of the juvenile court so appointed shall begin his term of office on the next succeeding October first after this act becomes effective.

Whenever there is a vacancy for any cause other than expiration of the term the presiding judge of the circuit shall again call the other judges to a meeting for the purpose of appointing a successor to the judge of the juvenile court who has died or otherwise vacated the office. Appointments made to fill vacancies occurring during terms shall be for the remainder of the unexpired term.

Section 4. The governor shall issue a commission to the person appointed or elected as judge of a juvenile court under this act in the same manner as provided by law for other commissioned officials.

Section 5. The salary of the judge of the juvenile court in each county to which this act applies shall be nine thousand six hundred dollars (\$9,600.00) a year, payable in equal semi-monthly installments out of the general fund of the county.

Section 6. The judge of the juvenile court in each county to which this act applies shall have authority to fix the character and form of the records of such court and to make and promulgate rules of procedure necessary or convenient for the preparation and trial or disposition of causes and the transaction of business of such court. He may practice law insofar as it does not interfere with his duties as a judge, but not in any case or matter that arose in said juvenile court, nor in any matter or case in any domestic relations division of the circuit court of any such county. Said judge, before entering upon the duties of his office shall take and subscribe to the oath of office as provided for other commissioned public officers.

Section 7. Appeals from such juvenile courts shall lie to the circuit court of any such county, except in those counties which have a separate domestic relations division, in which case appeals shall lie to such domestic relations division.

Section 8. All laws or parts of laws which conflict with this act are repealed.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	James	Oden
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Carter	Hammond	Metcalf	Smith
Clark	Hawkins	Nichols	Tyson
Cooper	Horton		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turner (Crenshaw):

H. 915. To amend Sections 10(10), 10(11), 10(13), Title 45, Chapter 1B, Code of Alabama.

Also:

By Mr. Turner (Crenshaw):

H. 916. To amend Section 31 of Title 23, Code of Alabama 1940.

Also:

By Mr. Turner (Crenshaw):

H. 917. To amend Act No. 202 of the 1953 Regular Session of the Legislature of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 915, 916 and 917. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Holladay and NeSmith:

H. 786. Relating to evidence of service of process upon certain parties defendant; amending Section 202, Title 7, Code of Alabama 1940.

Also:

By Messrs. Holladay and NeSmith:

H. 787. Relating to equity rules; providing for evidence of service of process upon certain non-resident parties defendant; amending Section 2 (b) of Rule 5, Alabama Equity Rules (Code of Alabama 1940, Appendix to Title 7).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 786 and 787. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Engel and McDermott:

H. 782. To amend Section 2 of Act No. 48, H. 34, approved November 1, 1950 (Acts of Alabama, 1951, p. 102) as amended, entitled "An Act to provide old-age and survivors insurance for certain officers and employees of the State and Local governments and making appropriations therefor."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 782. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 68. To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this act, so as to make these buildings and facilities accessible to, and usable by, the physically handicapped.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 39. To amend Section 13 of Title 5 of the Code of Alabama of 1940.

Also:

S. 274. To amend Section 25 of Title 51, Code of Alabama, 1940, to exempt insurance companies upon which a premiums tax is imposed and their shareholders from the taxation of corporate shares of stock.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Brown (Jefferson) and Etheredge:

H. 792. To provide for and regulate procurement and production of evidence of circuit court records by subpoena duces tecum.

Also:

By Mr. Jones (Covington):

H. 45. To amend Act No. 138, H. 7, Regular Session 1963 (Acts 1963, p. 323) which provides that in equity suits the deposition of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375, H. 1006, Regular Session 1955 (Acts 1955, p. 901) so as to authorize and provide for the compelling of the persons to be examined to bring with him books, papers and documents in his possession or under his control in the manner prescribed by said Act 375 as amended; and to provide that the provisions of this Act shall apply to future suits and pending suits.

Also:

By Mr. Jones (Covington):

H. 46. To amend Act no. 375, H. 1006, Regular Session 1955 (Acts 1955, p. 901) entitled "An Act To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination," to provide a method of compelling the persons examined to bring with him books, papers and documents in his possession or power.

Also:

By Mr. McCorquodale:

H. 1027. To make an appropriation to the department of public safety for certain capital outlay purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 792, 45 and 46. To the Committee on Judiciary.

H. B. 1027. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Reynolds, Pennington and Baker (Madison):

H. 654. Relating to recorders; providing an alternate method of appointing temporary recorders; amending Section 583 of Title 37, Code of Alabama 1940.

Also:

By Mr. Salter:

H. 32. To amend Section 90, Title 8, Code of Alabama 1940, as last amended by Act No. 783 of the General Acts of Alabama 1951, page 1378, approved September 11, 1951

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 654. To the Committee on Municipalities and Municipal Organizations:

H. B. 32. To the Committee on Fish and Game.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turnham:

H. 965. To authorize the state board of education and trustees of state institutions to purchase certain liability insurance.

Also:

By Mr. Turner (Limestone):

H. 823. To provide for a program for education in the field of library science; authorizing the use of funds available to the Alabama Public Library Service under the State Plan pursuant to the federal "Library Services and Construction Act," as amended, for awarding such grants.

Also:

By Messrs. Collins (Jefferson), Vacca, Brown (Jefferson), and Gilmore:

H. 446. To amend and revise Section 41 (d) (1), (2) and (3) of the 1940 Code of Alabama as amended, all of which refer to special restrictions on lamps on motor vehicles.

Also:

By Messrs. Vacca, Brown (Jefferson) and Gilmore:

H. 642. To adopt the Vehicle Equipment Safety Compact for the State of Alabama to insure maximum vehicle safety in the State of Alabama and her sister states; to designate the director of public safety as a member of the Vehicle Equipment Safety Commission thereby created; to prescribe the procedure for adopting recommendations of the Commission; to implement the provisions of the compact; and repealing conflicting provisions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 965 and 823. To the Committee on Finance and Taxation.

H. B.'s 446 and 642. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Thomas:

H. 9. Making an appropriation from the state treasury for the relief of James L. Campbell of Louisville, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 9. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Brewer and Slate:

H. 688. To provide for service of process upon certain corporations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 688. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Steagall, Hain, Etheredge and Blanton:

H. 795. Relating to required coverage in motor vehicle bodily injury liability insurance policies or contracts issued or delivered in this State requiring all such policies or contracts of insurance to include a provision insuring the insurer and providing to pay the insured such sum as he may be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle and providing for the insured to have the right to reject such coverage.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 795. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 14. To amend Sections 5 and 8 of Act No. 515, HB 93, approved July 9, 1945 (General Acts 1945 page 734) as amended, which relates to the Employees' Retirement System of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Burns, Powell, Pierce, Meade, Jones (Covington), Brown (Jefferson), Albea, Bailes, Baker (Madison), Bassett, Bolton, Boston, Bowers, Branyon, Brown (Tuscaloosa), Callahan, Camp, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Carr, Crawford, Daniel, Doggett, Downing, Drake, Edington, Edwards (Escambia), Engel, Faulk, Fite, Gilmore, Glass, Grouby, Hankins, Hawkins, Holladay, Ingram, Jones (Monroe), Little, McCorquodale, McDermott, Nabors, NeSmith, Nettles, Owens, Pennington, Posey, Reynolds, Smith, Snell, Sullivan, Tuck, Vacca and Wood.

H. 259. To amend Act 703, H. 544, approved September 5, 1951, an act relating to the administration of grants for public assistance purposes; providing that no person shall be rendered ineligible for or disqualified from receiving old age assistance on account of his ownership of real property if the value thereof as assessed for state taxation does not exceed \$5,000.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 259. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 216. To provide for the acquisition, financing and leasing of prison and correctional facilities; to authorize the Governor, the Commissioner of Corrections, the Director of Finance, the Lieutenant Governor and the Attorney General to become a public corporation to be known as Alabama Corrections Institution Finance Authority; to provide the procedure for incorporation, to designate the members, directors and officers of the Authority; to prescribe the powers of the Authority, including the power to provide for the construction, reconstruction, improvement, alteration and equipment of prisons, correctional institutions, buildings and facilities and the acquisition of sites therefor, the power of eminent domain, and the power to sell and issue not exceeding \$5,500,000 principal amount of bonds for such purposes; to make temporary loans; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the

State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction and equipment of buildings and facilities; to authorize the conveyance to said Authority of lands owned by the State; to authorize the sale or lease of lands conveyed by the State and the use of sale or rental proceeds to construct, reconstruct, or equip buildings or facilities, herein authorized, or to pay bonds issued for such purpose; to authorize the Authority to pledge its revenues and receipts to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease by the Authority of its buildings and facilities to the Board of Corrections, and to others; to provide for the lease by the Board of Corrections and other State agencies of prison and correctional buildings and facilities from the Authority; to authorize the publication of notice of the resolution authorizing any bonds, pledges and covenants and to specify a limitation of time thereafter for actions or defenses respecting said bonds, pledges and covenants; and to provide for dissolution of said Authority and conveyance of its assets and properties to the State upon payment of said bonds; and to grant authority and provide restrictions incidental to the performance of the foregoing.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turnham and Powell:

H. 213. To further amend Section 2, 3, and 4 of Act No. 474, regular session, Acts of Alabama 1953, entitled "An Act to provide supernumerary circuit solicitors of the State of Alabama; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, duties, powers, authority, compensation, method of removal from office of such supernumerary circuit solicitors; to provide for filling vacancies created by a circuit solicitor becoming a supernumerary circuit solicitor; to provide for reimbursement to such supernumerary circuit solicitors their reasonable expenses incurred for traveling on official business in counties other than that of their residence, and to appropriate funds for the payment of compensation and expenses of such supernumerary circuit solicitors," (Acts of Alabama 1953, Vol. I, page 589).

Also:

By Mr. Hester:

H. 267. To authorize the Commissioner of Agriculture and Industries to enter into contract by bond or insurance policy for the protection of employees of the Department of Agriculture and Industries against certain hazards where such employees are engaged in work involving the inspection, grading and weighing of agricultural products.

Also:

By Mr. Blanton:

H. 605. To regulate, and provide, in criminal and quasi-criminal cases, for an additional and cumulative mode of procedure in the bringing of writs of error coram nobis, and to dispense with seeking leave of an appellate court to petition for said writ, except in cases wherein the death penalty has been imposed and sentence affirmed.

Also:

By Messrs. Hawkins and Collins (Jefferson):

H. 619. To amend Section 13 of Act No. 252 of the 1955 Regular Session of the Legislature of Alabama, Approved August 18, 1955.

Also:

By Messrs. Turnham, Brewer and Vacca:

H. 117. To amend further Section 388 of Title 51, Code of Alabama 1940, which relates to exemptions from state income tax; and to provide that the Act shall be given retroactive effect to December 31, 1964.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 213 and 605. To the Committee on Judiciary.

H. B. 267. To the Committee on Agriculture.

H. B.'s 619. To the Committee on Public Health.

H. B. 117. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hester, Crawford, Cantrell, Fite, Posey, Hannah, Moore, Cook, Barnett, Beville, Scurlock, Engel, Grouby, Drake, Powell, Paulk, Cooper, Jones (Covington), Owen, Nettles, Thomas, Turner (Crenshaw), Burns, Goodwyn, Reynolds, Nabors, Avery, Tuck, Collins (Jefferson), Baker (Madison), Cates, Campbell (Jackson), Branyon, Hankins, Meade, Sullivan, Daniel, Turnham, Young, Owens and Steagall:

H. 439. To authorize and make provision for the incorporation of Municipal Parking Authorities as public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating facilities for parking motor vehicles, and related facilities, including offices for each such Authority, and leasing or letting such buildings, structures or facilities; to provide that in order for any such Authority to be organized, application must be made to the

governing body of the city or town in Alabama within the municipal boundaries of which the Authority is to do business, and permission for organization of such Authority must be obtained from the governing body to which application is made; to provide for the selection of the directors and officers of each such Authority; to specify the powers of each such Authority; to endow each such Authority with eminent domain powers; to provide that laws, ordinances and regulations relating to the advertising and award of construction or purchase contracts which are applicable to the city or town authorizing the establishment of the Authority shall also be applicable to each such Authority; to provide that any city or town of this State which authorizes establishment of such an Authority may aid and cooperate with such Authority in the planning, undertaking, acquisition, construction and operation of parking facilities and may lend, give, donate, sell, convey or transfer to any such Authority money, property or any right capable of transfer; to authorize the issuance by each such Authority of interest bearing revenue bonds payable solely out of the revenues of the Authority issuing such bonds; to specify provisions of such revenue bonds issued by any such Authority and to provide that such revenue bonds shall be deemed negotiable instruments; to provide that such revenue bonds issued by any such Authority may be secured by pledge of any of the revenues of the Authority issuing such bonds, whether the Authority's right to such revenues then exists or may thereafter come into existence and by mortgage on any property of any such Authority whether then in existence or thereafter acquired; to provide that such pledge may be provided for in an indenture between the Authority issuing such bonds and a trustee or by resolution providing for the issuance of the bonds; to provide that such pledge shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which the principal office of the Authority is located; to provide that any such Authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing evidence of indebtedness; to provide that bonds issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the State or of any political subdivision thereof; to specify the uses to which the proceeds of revenue bonds issued by any such Authority may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by any such Authority and the income therefrom and the property and income of any said Authority; to authorize the investment of any idle funds of any county, city or town within this State in bonds issued by any such Authority; to provide that bonds issued by any such Authority shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by any such Authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same, and to provide for the dissolution of any such Authority and the disposition of its property.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 439. To the Committee on Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Meade, Casey, Owens, Fite, Young, Burns, Nabors, Albea, Merrill, Burnham, Rogers, Hogan, McDermott, Nettles, Daniel, Drake, Bolton and Ingram:

H. 349. To provide for and require the State Department of Conservation, Water Safety Division, to mark the river channel in Weiss Lake, appropriating state funds for such purpose.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 349. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Dominick, Pennington, Hannah, Holladay and Hogan:

H. 445. Proposing an amendment to Section 83, Article 4, Constitution of Alabama, providing for election of the Speaker of the House by secret ballot.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee, as follows:

H. B. 445. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Collins (Jefferson), Gilmore, Bailes and Vacca:

H. 232. To make it unlawful to entice children for immoral purposes or for the purpose of committing assaults; and prescribing penalties for violations of the Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 232. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turner (Crenshaw) and Brewer:

H. 864. To make additional appropriations for certain educational agencies, institutions, services and purposes for each of the fiscal years ending September 30, 1966 and September 30, 1967, providing that such appropriations shall be conditional.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 864. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President Pro Tempore:

The Speaker of the House having signed the following House Bill, and House Joint Resolutions, your signature thereto is requested.

H. 456. Relating to counties having a population of not less than 60,500 and not more than 65,000 according to the last or any subsequent federal decennial census; providing for the substitution by city boards of education in such counties for use in the city schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

Also:

H. J. R. 114. Relative to commending Mr. Bill Jones, former Executive Press Secretary to Governor Wallace.

Also:

H. J. R. 118. Relative to memorializing the Congress to limit legislation on the subject of prohibition of firearms.

Also:

H. J. R. 120. Relative to the prize Aberdeen Angus bull at Auburn University School of Veterinary Medicine.

Also:

H. J. R. 123. Relative to expressing regret upon the death of Mr. Peyton Ward Williams.

Also:

H. J. R. 124. Relative to commending Dr. Milton Fies.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President Pro Tempore of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 633. To amend Section 2 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to re-state and expand the declaration of legislative intent of said act to include, as one of the purposes of said act, the re-location, in or around the same municipality, of manufacturing, industrial, commercial or research projects to replace any such projects all or a major portion of which have been acquired for one or more public purposes by certain public bodies, whether by purchase, condemnation or otherwise.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McDow	Robison (Montgomery)
Adams	Givhan	Metcalf	Robison (Pickens)
Allen	Hornsby	Nichols	Shelton
Bentley	Horton	Oden	Smith
Brannan	James	Reynolds	Tyson
Carter	Lolley	Roberts	Wilson
Cooper	Mathews		

—25

Nays:

—0

The Bill:

H. 57. To levy a tax upon persons engaged or continuing within this state in the business of selling at retail any machine, machinery, or equipment used for certain agricultural purposes, and the parts of such machines, machinery, or equipment, and attachments and replacements therefor, in lieu of the sales tax levied by Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and providing for the enforcement and collection of such tax.

was taken up.

Mr. Robison (Montgomery) offered the following amendment to the Bill, H. B. 57, to-wit:

AMENDMENT TO HOUSE BILL 57

Amend House Bill 57 by striking Section 4 of said bill and substituting the following:

"Section 4. This act shall become effective October 1, 1965."

On motion of Mr. Givhan, said amendment was laid on the table.

Yeas 21; Nays 11.

Yeas:

Messrs.:	Cooper	Lowe	Reynolds	
Adams	Evans	Mathews	Roberts	
Allen	Givhan	McCain	Taylor	
Brannan	Hammond	Nichols	Tyson	
Carter	James	Oden	Wilson	
Clark	Lolley			—21

Nays:

Messrs.:	Gilchrist	Horton	Robison (Montgomery)	
Bentley	Hawkins	McDow	Robison (Pickens)	
Dumas	Hornsby	Metcalfe	Smith	—11

Mr. Robison (Montgomery) then offered the following amendment to the Bill, H. B. 57, to-wit:

Amendment to House Bill 57

Amend House Bill 57 by striking Section 4 of said bill and substituting the following:

"Section 4. This act shall become effective October 1, 1966."

On motion of Mr. Givhan, said amendment was laid on the table.

Yeas 22; Nays 12.

Yeas:

Messrs.:	Cooper	Lowe	Roberts	
Adams	Evans	Mathews	Robison (Montgomery)	
Allen	Givhan	McCain	Taylor	
Brannan	Hammond	Nichols	Tyson	
Carter	James	Oden	Wilson	
Clark	Lolley	Reynolds		—22

Nays:

Messrs.:	Gilchrist	Horton	Robison (Pickens)	
Bentley	Hawkins	McDow	Shelton	
Dumas	Hornsby	Metcalfe	Smith	—12
Eddins				

MOTION TO RECONSIDER

Mr. Robison (Montgomery) moved that the Senate reconsider the vote by which the foregoing amendment to the Bill, H. B. 57, was laid on the table.

MOTION IN WRITING

Mr. Eddins offered the following Motion in Writing:

"MOTION IN WRITING"

"I move that when the Senate adjourns today it adjourn to meet again Friday, August 6, 1965, at 10:00 A. M.

"Eddins"

Which was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF H. B. 57

The Senate proceeded to further consideration of the Bill, H. B. 57. The question was on the motion of Mr. Robison (Montgomery) that the Senate reconsider the vote by which his amendment to the Bill, H. B. 57, was laid on the table.

Mr. Gilchrist moved that consideration of the motion to reconsider be postponed until the next Legislative Day.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bill and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 257. Delivered to the Governor August 3, 1965, at 11:30 A. M.

S. J. R. 38. Delivered to the Governor August 3, 1965, at 11:30 A. M.

S. J. R. 44. Delivered to the Governor August 3, 1965, at 11:30 A. M.

S. J. R. 41. Delivered to the Governor August 3, 1965, at 11:30 A. M.

S. J. R. 47. Delivered to the Governor August 3, 1965, at 11:30 A. M.

S. J. R. 49. Delivered to the Governor August 3, 1965, at 11:30 A. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 11:55 P. M., on motion of Mr. Gilchrist, pending further consideration of the Bill, H. B. 57, the Senate adjourned until Friday, August 6, 1965, at 10 o'clock A. M.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Hawkins	Oden	Shelton
Allen	Hornsby	Reynolds	Smith
Brannan	Horton	Roberts	Taylor
Eddins	James	Robison (Montgomery)	Tyson
Gilchrist	McDow	Robison (Pickens)	Wilson
Givhan	Metcalf		

—21

Nays:

Messrs.:	Cooper	Hammond	Lowe
Bentley	Dumas	Lolley	McCain
Carter			

—8

THIRTY-FIRST LEGISLATIVE DAY

FRIDAY, AUGUST 6, 1965

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by the Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalf	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Nichols	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James	Reynolds	

—34

JOURNAL

On motion of Mr. Clark, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirtieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Thirtieth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Bentley, leave of absence was granted Mr. Lowe for today.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 14. To amend Sections 5 and 8 of Act No. 515, HB 93, approved July 9, 1945 (General Acts 1945 page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Also:

S. 39. To amend Section 13 of Title 5 of the Code of Alabama of 1940.

Also:

S. 68. To require that those buildings and facilities constructed in the state by the use of state, county or municipal funds shall adhere to the principles prescribed by this act, so as to make these buildings and facilities accessible to, and usable by, the physically handicapped.

Also:

S. 213. To create the office of judge of the juvenile court in all counties having populations of not less than 225,000 nor more than 500,000 according to the last or any subsequent federal decennial census as a separate office; and to provide for the appointment, election, tenure, qualification, duties, authority, compensation and commissioning of such judge in all such counties.

Also:

S. 274. To amend Section 25 of Title 51, Code of Alabama, 1940, to exempt insurance companies upon which a premiums tax is imposed and their shareholders from the taxation of corporate shares of stock.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Horton:

S. 582. To amend Section 1 of Act No. 579, page 1262, Acts of Alabama, 1963 Regular Session, Volume 2, entitled "An Act to make appropriations for capital improvements", so as to reallocate and reappropriate certain monies itemized therein.

Committee on Finance and Taxation.

By Mr. Gilchrist:

S. 583. Relating to counties having a population of not less than 57,000 nor more than 61,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

Committee on Local Legislation.

By Mr. Gilchrist:

S. 584. To apply in counties having populations of not less than 57,000 no rmore than 61,000; providing for payment of expense allowances for the solicitors of the county courts of such counties.

Committee on Local Legislation.

By Mr. Gilchrist:

S. 585. To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. That the boundary lines of the City of Decatur, in Morgan County, Alabama, be and the same are hereby altered, rearranged, redefined and extended so as to include within the corporate limits of said City all of the following described property and all of the territory embraced therein, situated in Morgan County, Alabama, to-wit:

Beginning at the intersection of the northern right-of-way line of Alabama Highway 20 (U. S. Highway 72) and the west line of Section 7, T 5 S. R 4 W and running thence North along the West line of said Section 7 to the point where said line intersects the 556 foot contour line of Dry Branch; thence in a northwesterly direction, a northerly direction and a northeasterly direction along said 556 foot contour line to the intersection of said 556 foot contour line with the west line of Section 7, T 5 S. R 4 W. (said point being within the Wheeler Reservoir of the Tennessee River); thence in a southeasterly direction (upstream) along said 556 foot contour line to a point which is due North of T. V. A. Property Marker No. 57; thence South to T. V. A. Property Marker No. 57; thence S 55° 57' W, 930 feet more or less to the Northeast corner of the T. V. A. sub-station lot (which point is also at the end of the southerly line of Market Street NE); thence S 0° 45' W along the East line of said T. V. A. substation lot, 450 feet to the Southeast corner thereof; thence N 88° 45' W along the South line of said T. V. A. sub-station lot, 410.41 feet to the Southwest corner thereof; thence S 0° 45' W 1597.67 feet; thence S 88° 45' E 267.86 feet; thence S 0° 45' W 1365.13 feet to the point where the Easterly line of 21st Avenue SE intersects the Northerly line of 8th Street SE; thence S 88° 45' E along the Northerly line of 8th Street SE 150.00 feet; thence S 0° 45' W, continuing along the Northerly margin

of 8th Street SE 9.93 feet; thence S 88° 45' E along the Northerly line of 8th Street SE to the point where the line between Lot 8 and Lot 9 of Wilder Place, as shown by the map or plat thereof of record in the Office of the Judge of Probate of Morgan County, Alabama, extended North, would intersect the northerly line of 8th Street SE; thence in a Southerly direction to a point on the Southerly line of 8th Street SE which is the corner between Lot 8 and Lot 9 of said Wilder Place; thence continuing in a Southerly direction along the line between Lots 8 and 9 and Lots 16 and 17 of said Wilder Place to a point which is 150 feet North of the Northerly line of Harrison Street SE; thence East along a line parallel with Harrison Street SE to a point on the East line of said Lot 16 of said Wilder Place; thence in a Southerly direction along said line 150 feet to a point on the Northerly line of Harrison Street SE; thence in an Easterly direction along the Northerly line of Harrison Street SE to the point where said line intersects the Easterly line of 24th Avenue, S. E., which is that public street dedicated by deed dated November 22, 1954 of record in Book 543, page 235 of the Office of the Judge of Probate of Morgan County, Alabama; thence in a Southerly direction along the Easterly line of 24th Avenue SE to a point which is 330 feet Northerly from the intersection of said line with the Northerly line of 13th Street SE; thence in an Easterly direction parallel with 13th Street SE, 100 feet; thence in a Southerly direction parallel to 24th Avenue SE, 339.41 feet to a point on the Northerly line of 13th Street, SE; thence continuing in an Easterly direction along the Northerly line of 13th Street SE to a point 885 feet east of the east line of Section 28, T 5 S, R 4 W (said point being the northeast corner of Penny Acres Subdivision, Addition No. 4); thence south 1,725 feet, more or less, to a point being the southeast corner of Penny Acres Subdivision, Addition No. 4 as shown by plat and replat of record in Office of the Judge of Probate, of Morgan County, Ala. thence S 89° 00' E 448 feet more or less, to T. V. A. Property Marker No. 70; thence S 0° 45' E to a point on the 556 foot contour line on the westerly bank of Flint Creek Embayment; thence in a general southerly and westerly direction along said 556 foot contour as it meanders up stream along the westerly bank of Flint Creek Embayment to a point due East of T. V. A. Property Marker No. 30; thence west to T. V. A. Property Marker No. 30, which is a point on the Southerly line of Highway No. 67; thence in a Southeasterly direction along the southerly line of Alabama Highway No. 67 to the point where said line intersects the East line of Section 4, T 6 S, R 4 W; thence South along the East line of said Section 4, T 6 S, R 4 W and the East line of Section 9, T 6 S, R 4 W to the Southeast corner of the north ½ of said Section 9, T 6 S, R 4 W; thence west along the south line of the North ½ of Section 9, T 6 S, R 4 W, and along the south line of the north ½ of Section 8, T 6 S, R 4 W, and along the South line of the north ½ of Section 7, T 6 S, R 4 W, and along the south line of the north ½ of Section 12, T 6 S, R 5 W, and along the south line of the North ½ of Section 11, T 6 S, R 5 W, to the east line of Section 10, T 6 S, R 5 W, said point being the southeast corner of the north ½ of said Section 10; thence South to the southeast corner of said NE¼ of SE¼ of Section 10, T 6 S, R 5 W; thence West to a point 412.5 feet west of the north east corner of Southwest ¼ of Southeast ¼ of Section 10, T 6 S, R 5 W; thence South along a line parallel with and 412.5 feet West of the East line of said Section 10, T 6 S, R 5 W, to a point 105 feet North of the South line of said SW¼ of SE¼, Section 10, T 6 S, R 5 W; thence West along a line parallel with and 105 feet north of the south line of said Section 10, T 6 S, R 5 W, 420 feet; thence south 105 feet to a point on the South line of said Section 10, T 6 S, R 5 W; thence West along said line to the Southwest corner of Section 10, T 6 S, R 5 W; thence north along the west line of Section 10, T 6 S, R 5 W, the west line of Section 3, T 6 S, R5W, and the west line of Section 34, T 5 S, R 5 W, to the northwest corner of the southwest ¼ of said Section 34, T 5 S, R 5 W; thence west along the south line of the northeast ¼ of Section 33, T 5 S, R 5 W, to the southwest

corner of the east $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of said Section 33, T 5 S, R 5 W; thence north along the west line of said east $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of said Section 33, T 5 S, R 5 W, to the northwest corner of said east $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of said Section 33, T 5 S, R 5 W; thence east along the north line of said Section 33, T 5 S, R 5 W, to the point where said line intersects the easterly line of the old Decatur-Moulton Road; thence in a northeasterly direction along the easterly line of said old Decatur-Moulton Road, to a point where said line intersects a line located 300 feet west of and parallel to the west line of Section 26, T 5 S, R 5 W; thence north along said line 300 feet west of and parallel to the west line of Section 26, T 5 S, R 5 W, and continuing north along said line 300 feet west of and parallel to the west line of Section 23, T 5 S, R 5 W, and continuing north along said line 300 feet west of and parallel to the west line of Section 14, T 5 S, R 5 W, extended to the intersection of the northern right-of-way line of Alabama Highway 20 (U. S. Highway 72); thence easterly along the northern right-of-way line of Alabama Highway 20 (U. S. Highway 72) to the intersection of the west line of Lot 15 extended of the L. W. Norton Subdivision as shown in map or plot on file in the office of the Judge of Probate of Morgan County, Alabama; thence south along said west line of said Lot 15 to the southwest corner of said Lot 15; thence east along the south line of Lots 15, 14, and 13 of said L. W. Norton Subdivision, to the southeast corner of said Lot 13; thence northerly along the east line as extended of said Lot 13 to the northern right-of-way line of Alabama Highway 20 (U. S. Highway 72); thence easterly along said northern right-of-way line to the intersection of said right-of-way line with the 556 foot contour line on the east side of the Betty Rye Branch; thence northerly and southeasterly along said 556 foot contour line to the intersection of said contour line with the north right-of-way line of Alabama Highway 20 (U. S. Highway 72); thence northeasterly along said Northern right-of-way line of Alabama Highway 20 (U. S. Highway 72) to the intersection of said northern right-of-way line with the west line of Section 7, T 5 S, R 4 W; said point being the true point of beginning.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall be effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14th, July 21, July 28th, and August 4th, all in the year 1965.

B. C. SHELTON.

Sworn to and subscribed before me August 4th, 1965.

R. H. JERVIS,
Notary Public.

By Mr. Carter:

S. 586. To appropriate the sum of \$12,000.00 from any funds in the state treasury not otherwise appropriated to the Division of State Parks, Monuments and Historical Sites for the purpose of paying death benefit claims accruing against said Division from Board of Adjustment awards.

Committee on Finance and Taxation.

By Mr. Tyson:

S. 587. Relating to counties having populations of not less than 300,000 nor more than 600,000 and to counties contiguous to any county having such population; providing for the control and abatement of arthropods in such counties; creating and establishing an Arthropod Control Board for each such county, and prescribing its powers and duties; providing for the qualifications, appointment, terms, and compensation of the members of such Boards and a director thereof.

Committee on Local Legislation.

By Mr. Metcalf:

S. 588. To authorize the court of county commissioners, board of revenue, or other like governing body of Geneva County to reimburse county-resident members of the legislature for certain expenses incurred on official business.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize the court of county commissioners, board of revenue, or other like governing body of Geneva County to reimburse county-resident members of the legislature for certain expenses incurred on official business.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Geneva County may authorize payment from county funds of such sum or sums as may be necessary to reimburse members of the legislature who reside in the county for long distance telephone toll charges on calls which are directly related to legislative business, and for postage and mailing charges incurred or paid out by them in mailing official correspondence. Such claims shall be audited and allowed according to the same procedure provided for the allowance of other claims to be paid from the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Certificate Of Publication

STATE OF ALABAMA
Geneva County

I, Orsen Spivey, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala.* do hereby certify

that the advertisement attached hereto has been published in said newspaper for a period of Four consecutive weeks, commencing July 15, 1965, and ending Aug. 5, 1965.

WITNESS my hand this 5 day of August, 1965.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 5 day of Aug., 1965.

KAROL L. FLEMING,
Notary Public.

* This is to certify that the Geneva County Reaper has a general circulation in the County in which it is published and that this newspaper has been mailed under the second class mailing privileges for 52 consecutive weeks prior to the publication of this advertisement.

By Mr. Tyson:

S. 589. To provide that a dog guide may accompany a blind person in any place of public accommodation or public conveyance; to provide that violation of this Act shall be a misdemeanor.

Committee on Judiciary.

By Mr. Metcalf:

S. 590. Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA GENEVA COUNTY

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the court of county commissioners, board of revenue, or like governing body of Geneva County, except the two thousand four hundred dollars (\$2,400.00) per annum, payable in equal monthly installments out of the county treasury. In addition, members of the governing body other than the chairman or other presiding officer shall receive an allowance of one hundred fifty dollars (\$150.00) per month, payable out of the county treasury, as reimbursement for expenses incurred by them in the performance of their duties as members of the county governing body. The compensation provided by law; and shall be payable out of any money in the county treasury which has been designated and set apart therefor by the court of county commissioners, board of revenue or other governing

body, in its discretion, may provide for the payment of a part or portion of the salaries and expense allowances to the members out of the county gasoline tax revenue, provided that the part or portion of each commissioner's salary, which is paid out of the county, gasoline tax revenue, bears the same ratio to such member's total salary that the part or portion of the time spent by such member in the discharge of his duties in inspecting, accepting, building, repairing or supervising any of the county roads or bridges bears to the full time devoted by such members to the discharge of the duties of his office, and the part or portion of the expense allowance of each member which is paid out of the county gasoline tax revenue bears the same ratio to the total expense allowance paid each member that the expenses incurred by such member in connection with the discharge of his duties in inspecting, accepting, building, repairing, or supervising any of the county roads or bridges bears to the total expense allowance paid to such member. Provided, further, that such use of gasoline tax revenues shall be in accordance with and subject to all provisions of Title 51, Section 655, Code of Alabama 1940, as amended. The chairman or other presiding officer of the court of county commissioners, board of revenue, or like governing body of Geneva County shall continue to receive the same compensation as the chairman or other presiding officer of county governing bodies under the general law.

Section 2. This Act shall become effective upon the expiration of the term or terms of the incumbent member or members whose term or terms expire first.

Certificate Of Publication

STATE OF ALABAMA
Geneva County

I, Orsen Spivey, Publisher of The Samson Ledger, a weekly newspaper published in Samson, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of Four consecutive weeks, commencing July 15, 1965, and ending Aug. 5, 1965.

WITNESS my hand this 5 day of August, 1965.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 5 day of Aug., 1965.

KAROL L. FLEMING,
Notary Public.

* This is to certify that The Samson Ledger has a general circulation in the County in which it is published and that this newspaper has been mailed under the second class mailing privileges for 52 consecutive weeks prior to the publication of this advertisement.

By Mr. Dumas:

S. 591. To amend Section 40 of Title 50, under Chapter 3 of the Recompiled Code of Alabama of 1958, relating to the general grant of power to public corporations organized under said Chapter 3, so as to permit the sale and transfer of such corporation's entire system.

Committee on Public Buildings and Grounds.

By Mr. Robison (Pickens):

S. 592. To alter, rearrange and extend the boundaries and corporate limits of the town of Ethelsville in Pickens County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the town of Ethelsville in Pickens County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Ethelsville, Pickens County, are hereby altered, re-arranged, and extended so as to incorporate within the town of Ethelsville the following described territory lying and being in Pickens County, to-wit:

Begin at the Northeast corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 16, Township 19 South, Range 16 West, and run thence East along the Section line one-fourth miles, more or less, to the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of Northeast Quarter (NE $\frac{1}{4}$) of said Section 16, thence run South along the quarter of quarter section line one-half mile, more or less, to the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of Northeast Quarter (NE $\frac{1}{4}$) of said Section 16, thence West along the half section line, one-half mile, more or less, to the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of Northwest (NW $\frac{1}{4}$) of said Section 16, thence North along the quarter of quarter section line one-fourth mile, more or less, to the Northwest corner of said Southeast Quarter (SE $\frac{1}{4}$) of Northwest Quarter (NW $\frac{1}{4}$) of said Section 16, thence East along the quarter of quarter section line one-fourth mile more or less to the Northeast corner of said Southeast Quarter (SE $\frac{1}{4}$) of Northwest Quarter (NW $\frac{1}{4}$) of said section 16, thence North along the quarter of quarter section line one-fourth mile, more or less, to the point of beginning, containing 120 acres, more or less.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal v. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-24, 7-1, 7-8, and 7-15, all in the year 1965.

EUTEAL V. JUNKIN.

Sworn to and subscribed before me 8-3, 1965.

O. W. HANCOCK,
Notary Public.

By Mr. Oden:

S. 593. Relating to the construction, maintenance and repair of the county roads and bridges of Colbert County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county, and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of all funds, including Colbert County's proportionate share of the state gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; repealing conflicting laws.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the construction, maintenance and repair of the county roads and bridges of Colbert County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county, and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of all funds, including Colbert County's proportionate share of the state gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Highway Department shall, subject to the provisions and limitations contained in this Act, be responsible for the construction, maintenance and repair of the county roads and bridges in Colbert County.

Section 2. The county governing body of Colbert County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the State;

b) To borrow money and issue bonds or other evidence of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

c) To determine, subject to the approval of the State Highway Department, the location of new roads and bridges within the county which may be established as an addition to the presently existing county road system of Colbert County;

d) To exercise, subject to the approval of the State Highway Department, the right of eminent domain for the purpose of acquiring right of way for the establishment and changing county roads and bridges in the manner presently provided by law.

Section 3. The governing body of Colbert County shall have no authority:

a) To employ or discharge or regulate or control in any manner personnel for the construction, maintenance or repair of county roads and bridges;

b) To contract for or purchase any services, supplies, equipment, machinery or materials used in the construction, maintenance or repair of county roads and bridges;

c) To pay or order payment to any person, firm or corporation for services rendered or supplies, equipment, machinery or materials provided in the construction, maintenance or repair of county roads or bridges.

Section 4. Upon the effective date of this Act the governing body of Colbert County and all officials of the county shall transfer and turn over to the State Highway Department all funds, supplies, equipment, machinery and materials held, owned, leased or controlled by it or them for the construction, maintenance and repair of county roads and bridges. Thereafter on or before the tenth day of each month, the county treasurer, the county governing body and all other county officials of Colbert County shall pay over to the State Highway Department all funds collected or received as taxes, including the motor vehicle license tax allocated to the county, or otherwise by them from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining or repairing county roads or bridges. Such funds shall be maintained separately by the State Highway Department and shall be used by it solely for the purpose of construction, maintenance and repair of county roads and bridges in Colbert County subject to the provisions of this Act.

Section 5. All persons employed by Colbert County in the construction, maintenance and repair of county roads and bridges as of the effective date of this Act, whose compensation is paid entirely by the county shall continue to be employed by the State Highway Department in the county and be brought under and be covered by the State Merit System Law without examination at no less than their salary on that date, and they shall not be discharged nor their salary decreased or increased except in accordance with the regulations of the State Merit System Law. **All other persons employed by the Highway Department** in connection with the administration of this Act shall be subject to the State Merit System Law.

Section 6. After the effective date of this Act, the State Highway Department shall pay all of the outstanding financial obligations of Colbert County which were incurred prior to the adoption of this Act, for the construction, maintenance or repair of county roads and bridges out of the funds to be paid over to the Highway Department under the provisions of Section 4 of this Act. Nothing contained in this Act, however, shall be construed to relieve Colbert County of the liability for paying any of its financial obligations now existing or hereafter incurred under the provisions of Section 2 (b) hereof in the event the funds paid

over to the State Highway Department are insufficient to do so, or to require any of the financial obligations presently existing or hereafter incurred under the provisions of Section 2(b) hereof of the county to be paid from funds of the Highway Department.

Section 7. The State Highway Department shall construct, maintain and repair the county roads and bridges of Colbert County from the funds paid over to it pursuant to Section 4 of this Act, and from funds which would otherwise accrue to Colbert County for road and bridge work from any source whatsoever. The State Highway Department shall retain, and the appropriate state official is authorized to pay over to it, any funds or amounts to which Colbert County shall be entitled to from the proceeds of the state gasoline tax, the motor vehicle license tax allocated to the county, or any other state tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the State Highway Department under the provisions of Section 4 of this Act for the construction, maintenance and repair of county roads and bridges in said county. The gasoline tax money, and the proceeds of any other tax to which Colbert County is entitled, received by the State Highway Department for work in Colbert County shall be kept in the separate account referred to in Section 4 of this Act.

Section 8. Any contract for the construction, maintenance and repair of county roads and bridges entered into by Colbert County prior to the adoption of this Act, shall remain in full force and effect until the terms thereof have been complied with.

Section 9. At the time the governing body of the county transfers to the department county-owned road equipment, machinery, and supplies, under the provisions of this Act, an inventory thereof shall be made, a copy to be kept on file by the county and by the department, and in the event this Act is repealed or becomes inoperative, the department shall return to the county road equipment, machinery, and supplies of like kind and equal value.

Section 10. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 11. The provisions of this Act are hereby declared to be severable in nature and should any section or other portion thereof be declared unconstitutional or invalid such adjudication shall not affect the portion, or portions, of said Act remaining.

Section 12. This Act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of Colbert County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution, and shall be held on the first election day in the county next following final passage of this Act. Notice of the election shall be given by the judge of probate of Colbert County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows: "Do you favor the local law authorizing the State Highway Department to assume responsibility for the construction, repair, and maintenance of county roads and bridges? Yes () or No ()." If a majority of the votes cast at the election are affirmative votes, this Act shall be in full force and effect from the first day of the second month next following the date of the election; if a majority of the votes cast are in the negative, the Act shall have no further effect. The judge of probate of Colbert County shall certify the results of the election to the Secretary of State and to the State Highway Director within 30 days after the returns have been canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared George A. Morris, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the Standard and Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 16, July 23, July 30, and August 6, all in the year 1965.

GEORGE A. MORRIS, JR.

Sworn to and subscribed before me August 6, 1965.

J. A. DARDESS,
Notary Public,
State at Large.

By Mr. Hawkins:

S. 594. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having a population of not less than 96,000 nor more than 106,000.

Committee on Local Legislation.

By Mr. Wilson:

S. 595. To apply only in Walker County: To authorize, provide for, and regulate the introduction in evidence in any court in such county, when the original thereof would be relevant and material, of certified copies of certain hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probative value of such records.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To apply only in Walker County: To authorize, provide for, and regulate the introduction in evidence in any court in such county, when the original thereof would be relevant and material, of certified copies of certain hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probative value of such records.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply only in Walker County.

Section 2. When the original would be relevant and material in any suit or proceeding in a court in such county, a certified copy of the hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, hospital, occupational, disease, injury and disability histories, temperature and other charts, X-Rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports and interpretations of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as of all employees of such hospital, forming a part of such hospital records as to the health, condition, state, injuries, sickness, disease, mental, physical & nervous disorders duration & character of disabilities, diagnosis, prognosis, progress, wounds, cuts, contusions, lacerations, breaks, loss of blood, incisions, operations, injuries, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicines, supplies, treatment and care and the cost, expenses, fees and charges therefor and thereof, a part of or shown on or in said hospital records of any patient in said hospital when certified and affirmed by the custodian of said hospital records as herein provided, shall be admissible in evidence without further proof in any court in such county where material and relevant, if and when said hospital records were made and kept in the usual and regular course of business of said hospital and it was in the regular course of business of said hospital to make and keep said records and that said records were made at the time of such acts, transactions, occurrences or events therein referred to occurred or arose or were made, or within a reasonable time thereafter.

Section 3. A certified copy of said hospital records may be procured by any litigant in any court of competent jurisdiction in such county by subpoena duces tecum and when any such subpoena duces tecum is issued for said hospital records the custodian of said hospital records shall prepare a copy of said hospital records as herein provided and securely seal the same in an envelope or other container and date and fill out and sign a certificate in substantially the form in this act provided and place on, or securely fasten said certificate to the outside of said envelope or container in which said copy of said hospital records are placed and deliver the same to the clerk or register of the court hearing or to hear which the records are sought and he or to try the suit or proceeding in shall not otherwise be required to appear in court unless thereafter ordered to do so by the court. Said envelope or container in which the copy of the hospital records are enclosed shall not be opened until ordered published by the court trying the case at the time of the trial. When so prepared and certified the copy of said hospital records shall be admissible in evidence in any court in such county, if and when relevant and material in prima facie proof of the facts therein shown just as if otherwise verified and just as if the copy was the original. The copy of the hospital records may be photostated, photographed or made by micro photographic plate or film or otherwise made so long as clear and easily legible. All the circumstances of the making of such hospital records, including lack of personal knowledge of the entrant or maker of such hospital records may otherwise be shown to effect the weight of such hospital records but this shall not affect their admissibility.

For preparing a copy of such hospital records the clerk or register shall tax as costs twenty-five cents for each page of said hospital records and \$2.50 for making the certificate affixed or appended thereto which charges shall be taxed as costs in the suit or proceedings and said costs shall abide the result of the suit or proceeding.

Section 4. The certificate of the custodian of the hospital records herein provided for shall show the name of the parties to the suit or proceeding and the name of the court to which made, by appropriate caption, and said certificate shall be in form in substance as follows, to-wit:

I, _____ hereby certify and affirm in writing that I am _____ of the _____ Hospital, a hospital organized or operated pursuant to or under the laws of Alabama, located at _____, Alabama, and that I am custodian of the hospital records of said hospital and that the within copy of said hospital records are an exact, full, true and correct copy of said hospital records pertaining to _____.

I further certify that I am familiar with and know, and knew when made and charged, the reasonable value and price for the various charges made and shown in said hospital records pertaining to _____ and that said charges are in my judgment, just, reasonable and proper and in keeping with those generally charged in the county and community where said hospital is located.

All of which hereby I certify and affirm on this _____ day of _____, 19____.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA

County of Walker

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely:

May 17, 1965

May 24, 1965

May 31, 1965

June 1, 1965

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 26 day of July, 1965

FAY O'REAR,
Notary Public.

By Mr. Wilson:

S. 596. Relating to Walker County; to provide further for probating uncontested wills in such county.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; to provide further for probating uncontested wills in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. When a will is offered for probate in Walker County it may be proved by the deposition of one of the subscribing witnesses in the manner hereinafter provided if no contest has been filed.

Section 2. When a will is presented for probate the person presenting such will may file with his application for probate, a request to the probate judge to issue a commission to take the testimony of one subscribing witness in proof of such will. Upon receipt of such request the judge shall give at least ten days notice to the widow of the testator or his next of kin or either of them, residing in the state, of intention to prove the will by the deposition of a subscribing witness. If on the date set to hear the application for the probate of the will no contest is filed the deposition heretofore provided for may be submitted in proof of such will and if it appears from such proof that the will was duly executed, the deposition with the will shall be immediately recorded in a book provided and kept for this purpose.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
County of Walker

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely:

July 16, 1965

July 23, 1965

July 30, 1965

and will run Aug. 6, 1965

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 4 day of August, 1965

FAY O'REAR,
Notary Public.

By Mr. Wilson:

S. 597. Relating to Walker County; to authorize the judge of probate of such county to try inquisitions of lunacy with or without a jury; and to provide that when a jury is demanded in such proceeding said jury shall be impaneled as is now provided for the trial of a will contest in the probate courts of this State.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; to authorize the judge of probate of such county to try inquisitions of lunacy with or without a jury; and to provide that when a jury is demanded in such proceeding said jury shall be impaneled as is now provided for the trial of a will contest in the probate courts of this State.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Walker County shall have the power and authority to try inquisitions of lunacy without a jury and such inquisitions shall be tried without a jury unless the alleged non compos mentis or his attorney or next friend or the guardian ad litem appointed by the court in such proceeding demands a jury trial at any time before the day set by the court for trial, which day shall not be less than 10 days after the filing of said petition.

Section 2. Should a jury be demanded for the trial of such inquisition, the probate judge shall cause a jury to be impaneled as is now provided by law for the contest of wills in the probate courts of this State.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
County of Walker

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons of the Daily

Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely:

July 16, 1965

July 23, 1965

July 30, 1965

and will run Aug. 6, 1965

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 4 day of August, 1965

FAY O'REAR,
Notary Public.

By Mr. Wilson:

S. 598. To provide for an action of ejectment to recover possession of real property in Walker County by a purchaser of such real property at a mortgage foreclosure sale or by one claiming under such purchaser, and to regulate the proceedings in such action.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for an action of ejectment to recover possession of real property in Walker County by a purchaser of such real property at a mortgage foreclosure sale or by one claiming under such purchaser, and to regulate the proceedings in such action.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever real estate in Walker County is sold under the power contained in a mortgage or deed of trust, and the purchaser at such sale, or person claiming under such purchaser has made written demand for possession thereof as provided in Code of Alabama 1940, Title 7, Section 730, and such possession has not been delivered as provided in such section, then such purchaser or person claiming under such purchaser shall have the right to bring and maintain an action of ejectment against such person or persons in possession in the circuit court of Walker County or some other court of competent jurisdiction in said county, and such action shall be a preferred case in said court until disposed of.

Section 2. The form of complaint in such ejectment suit shall be the same as is provided in Code of Alabama 1940, Title 7, Section 223, No. 30.

Section 3. When service of the summons and complaint in such action is had upon the defendant, as provided herein, the defendant must answer, plead or demur to the complaint within thirty days from the date of service, and should the defendant desire a jury trial, a demand for such trial must be made and filed with the clerk of the court within

thirty days from the date of service of the summons and complaint. When the defendant files an appearance, if the court is in session the clerk of the court must set such action down for trial, as a preferred case within two weeks from the date such appearance is filed. When the court is not in session such action shall be set down for trial by the court as a preferred case on a day within two weeks from the date the court convenes.

Section 4. Upon the trial of such action the plaintiff, by introducing in evidence the original mortgage and foreclosure deed or certified copies of the record thereof, or other legal proof of such instruments, and proof of demand for possession and failure to deliver possession, makes out a prima facie case, and it shall not be necessary or required in such action for either party to furnish to the other any abstract of title on which such party shall rely for a recovery or defense.

Section 5. Should the plaintiff be successful in such action, the court must enter a judgment in favor of the plaintiff for the property described in the complaint, and such damages as the court, or the jury, if a jury be demanded, may assess for the detention thereof, and the court, or a jury, if a jury be demanded shall ascertain and fix the yearly rental of such premises and the court shall order the defendant to surrender possession of the premises sued for to the plaintiff within ten days from the date of such judgment and unless the defendant surrenders possession of such property within said ten days, a writ of possession shall be issued by the clerk of the court in substantially the form provided in case of judgment in favor of the plaintiff in an action of statutory ejectment.

Section 6. Should the defendant desire not to surrender possession upon the expiration of said ten days' period but should desire to file an appeal, he must file with the clerk of the court, a good and sufficient bond with sureties approved by the clerk of the court, and payable to the plaintiff in double the amount of the annual rental value of said property as ascertained by the court, or jury and the damages assessed and accrued court costs. Said bond must be filed with the clerk of the court within thirty days after judgment is rendered. Said bond shall be conditioned upon the successful prosecution of the appeal by him from said judgment, and the payment of said judgment with the costs, damages, and the rental value of such property pending such proceedings should he fail therein.

Section 7. The defendant shall have the right, after the giving of the bond as herein provided, to appeal from said judgment of the court within thirty days from the date of judgment or within thirty days from the date any motion for a new trial is overruled.

Section 8. The service of the notice or demand and of the summons and complaint as herein provided for, shall be had upon the defendants, unless the defendant is a nonresident or cannot be found, in either of which events, service of said notice or demand and of the summons and complaint, may be had by leaving the same with some person above the age of eighteen years residing on or in possession of the premises, and in case no one is found on said premises, above said age, then by posting the same on the premises, but unless personal service of the summons and complaint is had upon the defendant, or the defendant files an appearance in such action, no personal judgment shall be rendered against such defendant for damages for the detention of the premises.

Section 9. Judgment by default upon the expiration of said thirty days, and all other proceedings and defenses applicable in ejectment suits, except as modified or changed by this section, shall be and remain in full force and effect, and the rights and remedies herein given are cumulative and in addition to any rights and remedies now existing.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA

County of Walker

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely:

July 6, 1965

July 13, 1965

July 20, 1965

July 27, 1965

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS,

Sworn and subscribed to before me, This 27 day of July, 1965

FAY O'REAR,
Notary Public.

By Mr. Metcalf:

S. 599. Relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Committee on Local Legislation.

By Mr. Adams:

S. 600. To amend Act No. 379, H. 866 of the Regular Session of 1963, which relates to counties having populations of not less than 50,000 nor more than 54,000 and provides further for designation and alteration of election precincts and districts, voting places and voting centers therein and the conduct of elections: amending the Title and Sections 1, 2, 3, 4, and 9 of such act.

Committee on Local Legislation.

By Mr. Tyson:

S. 601. To amend Act No. 720, H. 231, Regular Session 1953 (Act 1953, P. 974), relating to participation in labor unions by certain public employees.

Committee on Immigration, Industrial
Resources and Labor.

By Mr. Tyson:

S. 602. Relating to the recorders courts of cities having populations of not less than 200,000 nor more than 300,000; to provide for the qualifications, election, term, compensation, powers and duties of the judge of such court; to authorize and provide for officers for said court, and provide for their selection, tenure and compensation.

Committee on Local Legislation.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to House Bill 973.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 6, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am vitally interested in seeing that House Bill 973, as substituted and amended, banning Communist speakers from College campuses, is enacted into law during this session of the Legislature.

Not long ago those of us who warned of the Communist menace were variously referred to as "alarmists" or "racists". At the present time, however, these calls of alarm are being echoed around this Nation by prominent law enforcement officials, political leaders and some well-recognized members of the clergy—who now acknowledge the Communist involvement in the various demonstrations which are occurring throughout the Country.

It is already late, but it is time for the State of Alabama to make sure that Communists and Communist sympathizers shall not be given a right to spread their poisonous doctrine on our college and university campuses.

While I favor freedom of speech, I am opposed to anyone whose allegiance is to a foreign power, intent on burying us, and who advocates the forceful overthrow of our government, whether directly by force of arms, or indirectly by giving aid and comfort to the enemy or by refusing to fight or to help keep us strong.

Communism in all of its forms is an evil doctrine—the antithesis of good—and I believe in fighting every attempt which might be made to expose the minds of our young people to this insidious creed, preached by those who would not only enslave our bodies but also our spirit.

We are a nation, under God, and we should and will fight Communism with every means at our command—with machines of war in Viet Nam—with the law banning Communists here at home.

Let the world know that we are intent on remaining free from the curse of Communism. If the "teach in" professors and the "marching" preachers cry that we are violating "academic freedom", let our answer be that the die is cast and let us be counted on the side of those who know that liberty is never bought by appeasement, pacificism and timidity but is wrought on a thousand battlefields by the blood, sweat and tears of men.

While I know that our State-supported colleges and universities will not allow the Communists to have a forum on their campuses, I do feel that House Bill 973 should be favorably considered as a necessary piece of legislation.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and spread upon the Journal.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 396 with a suggested executive amendment.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 6, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the body in which this bill originated, Senate Bill 396, without my approval and with a suggested executive amendment, as follows:

Strike out Section 2 of the bill entirely and insert in lieu thereof the following:

Section 2. This Act shall take effect immediately upon its enactment.

This amendment is being made with the knowledge and consent of the author of the bill. The bill relates only to the county of Dallas. If the amendment is adopted, this will remove my objection to the bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Givhan, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 396. To amend Section 1, Act No. 11, S. 59, Regular Session 1959, an act fixing the compensation of certain officers of Dallas County, which said amendment is set out at length in the foregoing Message from the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds	
Adams	Eddins	Mathews	Shelton	
Allen	Evans	McCain	Smith	
Brannan	Givhan	McDow	Taylor	
Carter	Hawkins	Nichols	Tyson	
Clark	Horton	Oden	Wilson	
Cooper	James			—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 2. Relating to taxation; exempting herbicides from the state sales and use taxes.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 400. To make a supplemental appropriation to the Department of Public Safety.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hankins, Sullivan, Callahan, Tuck and Carr:

H. J. R. 136. WHEREAS, Arthur Curtis Branyon, brother to Representative James Branyon, was killed in a motor vehicle accident on Tuesday, August 3, 1965, and

WHEREAS, Mr. Branyon was an outstanding citizen of Fayette and Guntersville, Alabama, and left surviving him his widow and two daughters, Miss Martha Branyon and Mrs. Jimmy Burleson, and

WHEREAS, the Legislature wishes to express its sympathy to its member, Representative James Branyon, in this hour of bereavement, and to the members of his family.

THEREFORE be it resolved by the Legislature of Alabama, both Houses thereof concurring that the Legislature express its sympathy to Representative Branyon in his great loss.

Be it further resolved that a copy of this resolution be sent to Representative Branyon.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Rules were suspended and the Resolution, HJR 136, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 353. Relating to Butler County; authorizing and providing for attendance at McKenzie schools of certain nonresident school pupils.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Taylor, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 353, the title of which is set out in the foregoing Message from the House, to-wit:

Substitute for S. B. 353

A BILL TO BE ENTITLED AN ACT

Relating to Butler County; authorizing and providing for optional attendance at McKenzie schools of certain non-resident school pupils.

Be It Enacted by the Legislature of Alabama:

Section 1. Any child of school age who resides outside Butler County but within seven miles of the municipality of McKenzie shall have the option of enrolling in the Butler County schools situated at McKenzie regardless of the county of his residence. The board of education of Butler County shall provide transportation for such pupils the same as for residents of Butler County; provided, Butler County school busses shall only follow such routes outside Butler County as were officially established prior to January 1, 1963.

Section 2. The provisions of the Pupil Placement Law (Act No. 201, Regular Session 1955, as amended by Act No. 367, Regular Session 1957) and of any other school-attendance laws that are inconsistent with the provisions of this Act are superseded and repealed by this Act to the extent of any such inconsistency.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hornsby	Oden
Adams	Dumas	McCain	Roberts
Allen	Evans	McDow	Robison (Montgomery)
Bentley	Gilchrist	Metcalf	Robison (Pickens)
Brannan	Givhan	Montgomery	Taylor
Carter	Hammond	Nichols	Wilson
Clark	Hawkins		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 155. To amend Section 365 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turner (Crenshaw):

H. 914. To regulate going out of business and distress merchandise sales; providing for licensing such sales; providing for enforcement of the Act and prescribing penalties for violation.

Also:

By Messrs. East, Morrow, Brown (Jefferson), Meeks, Bethea (M), Perry, Vacca, Gilmore, Sessions, Bowers and Collins (Jefferson):

H. 1130. To regulate the handling, control, custody and disposition of all official or trust funds by clerks or deputy clerks of the circuit court in counties in this state having a population of 500,000 or more according to the last or any subsequent Federal census; to provide that the county commission or like governing body in such counties shall name the depositories to receive such funds, and may provide that any of such funds may be invested; to provide that such circuit clerks or deputy clerks shall be relieved from personal liability for any loss by reason of the failure of any depository designated by the aforesaid county commissions or like governing body; that such clerks or deputy clerks of the circuit court shall disburse such funds in accordance with the

judgments, orders and decrees of any judge of the circuit court sitting in and for such counties; that any clerk or deputy clerk of the circuit court who fails to comply with the provisions of this Act shall be guilty of wilful neglect of duty; that all laws or parts of laws, local, special or general, in conflict with this Act are hereby repealed.

Also:

By Messrs. Camp, Bevill and Jones (Covington):

H. 699. Relating to the public health; providing for the merging of Alabama State Hospitals, Partlow State School and Hospital, the Commission on Alcoholism, and the Division of Mental Hygiene of the State Board of Health; naming the new corporation the Alabama Mental Health Board; authorizing it to coordinate all operations and activities of the State related to mental health; creating a board of trustees for the new corporation and providing for its duties, powers, and authority; prescribing penalties for certain violations; providing for a State Mental Health Officer and prescribing his duties; providing for court review of final decisions of the Alabama Mental Health Board; providing for transfer of patients and records between elements of services; prescribing a report to the Governor and the Legislature; providing for budgetary support; and repealing laws in conflict herewith.

Also:

By Mr. Etheredge:

H. 771. To amend Chapter 7 of Title 2, Code of Alabama of 1940 by amending Section 674 thereof, as amended, relating to the qualifications, annual permit and other requirements for persons engaged in professional services or work pertaining to entomological, pathological, horticultural and floricultural, and tree surgery work including structural pest control work; and to further amend said Chapter by amending Section 676 thereof, as amended, relating to the penalty for violations by providing that persons engaging in such professional services or work without a permit may be restrained and enjoined from performing such work.

Also:

By Messrs. Rogers, Nabors, McDermott, Jones (Monroe), Etheredge, Locke, Goodwyn, Holladay, Steagall, NeSmith, Teel, Engel, Thomas, Edington, Meeks, Dominick, Turner (Limestone), Slate, Smith and Hogan:

H. 728. Relating to crimes and offenses: To make it a crime to avoid or attempt to avoid, with intent to defraud, payment or billing of lawful charge for telecommunication service, or knowingly, with intent to avoid payment or billing of such lawful charge, to conceal or attempt to conceal existence, place of origin or destination or sender, addressee or receiver of message, signal or communication by or over facilities of telecommunication from supplier of such service, or to use, attach or cause to be attached prohibited instrument, or to in any manner manipulate, tamper or interfere to or with communication line, channel, device or facility of supplier of telephone, telegraph or telecommunication service, or to make, manufacture, possess, use, employ, transport, purchase, transfer, sell, offer or advertise to sell, prohibited instrument; to define term prohibited instrument; to establish rules of evidence in connection therewith; to prescribe penalties therefor; to provide for the search, seizure and destruction of prohibited instruments; to repeal Act No. 420, Acts of Alabama, Regular Session 1959, approved November 13, 1959, and all other conflicting laws.

Also:

By Mr. Stembridge:

H. 1122. To amend further Section 4 of Act No. 103, H. 363 of the Regular Session of 1953 (Acts of 1953, Vol. I, p. 145) entitled "An Act to establish a City of Dothan Pension and Retirement System," in relation to the handling of the retirement fund.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

Notice is hereby given that application will be filed with the Legislature of Alabama following publication of this notice as required by law for the passage of a local act as follows:

A BILL TO BE ENTITLED AN ACT

To amend the following Section of Act No. 103 H. 363, approved June 18, 1953 (Acts of Alabama 1953, Pages 145-154) which provides for the establishment of a City of Dothan Pension and Retirement System.

Be It Enacted by the Legislature of Alabama:

That the following Section of Act No. 103, H. 363, approved June 18, 1953 (Acts of Alabama 1953, Pages 145-154) which provides for the establishment of a City of Dothan Pension and Retirement System is hereby amended to read as follows:

Section 4(3) (b) All amounts in excess of \$10,000 deposited in any bank or savings and loan association, protected by Federal Depositors Insurance Corporation or similar plan by the Federal Government up to said amount, in either of the three (3) funds provided for herein shall be forthwith invested in bonds or securities issued by the Treasurer of the United States of America. The Pension Board may direct that any portion of the \$10,000 be placed on deposit so as to draw interest. Interest and earnings from investments and deposits shall be deposited into the Retirement Fund.

June 2, 9, 16, 23, 1965.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: June 2, 9, 16, 23, 1965 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office

where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 30th day of June, 1965.

EUGENE J. McCHRISTIE,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 914. To the Committee on Municipalities and Municipal Organizations.

H. B's 1130 and 1122. To the Committee on Local Legislation.

H. B. 699. To the Committee on Public Health.

H. B. 771. To the Committee on Agriculture.

H. B. 728. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hester:

H. 1120. To amend and extend the corporation limits of the City of Russellville, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the following local bill will be introduced for passage in the present session of the Legislature of Alabama

A BILL

TO BE ENTITLED AN ACT TO AMEND AND EXTEND THE CORPORATION LIMITS OF THE CITY OF RUSSELLVILLE ALABAMA BE IT ENACTED by the legislature of Alabama.

Section 1. That the corporate limits of the City of Russellville, Alabama are hereby amended and extended to include within said city the following additional territory:

All of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 28, Township 6 South Range 11 West. All of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 28 Township 6 South, Range 11 West. All of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 27, Township 6 South, Range 11 West. All of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 27, Township 6 South, Range 11 West. All of the S $\frac{1}{2}$ of Section 21, Township 6 South, Range 11 West. All of the S $\frac{1}{2}$ of Section 22, Township 6 South, Range 11 West.

Section 2. This Act shall take affect upon its passage and approval by the Governor.

STATE OF ALABAMA,
FRANKLIN COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, co-owner and editor of the Franklin County Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin County Times for four consecutive weekly issues beginning with the issue of July 1, 1965 and ending with the issue of July 22, 1965.

CLAUDE E. SPARKS.

Subscribed and sworn to before me, this the 24 day of July 1965 at Russellville, Ala.

MAE G. STREIT,
Notary Public.

My commission expires 2/19/66

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1120. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Campbell (Jackson):

H. 1126. To authorize and provide for the establishment, maintenance, operation and financing of a public library in Alabama, in any County having a population of not less than 36,600 nor more than 37,600 according to the Federal census of 1960.

Also:

By Mr. Turnham:

H. 1132. Proposing an amendment to the Constitution of Alabama relating to special property taxes in the City of Auburn.

Also:

By Mr. Turner (Limestone):

H. 1133. To provide for payment of fees of state witnesses in criminal cases from the general funds of Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for payment of fees of state witnesses in criminal cases from the general funds of Limestone County.

Be It Enacted by the Legislature of Alabama:

Section 1. The fees of state witnesses in criminal cases in the county court and in the circuit court or before the grand jury of Limestone County shall be payable out of the general funds of the county immediately upon their presentation. All such witness fees collected by the clerk of court shall be paid by him into the general fund of the county treasury at the end of each month.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1965.

STEELE MCGREW.

Sworn to and subscribed before me July 27, 1965.

LOLA L. ORR,
Notary Public.

(SEAL)

Also:

By Mr. Edwards (Lowndes):

H. 1135. Relating to counties having populations of not less than 15,400 nor more than 16,000 inhabitants, according to the most recent federal decennial census; providing further for the payment of an expense allowance to coroners of such counties.

Also:

By Mr. Cooper:

H. 1136. To apply only in counties having populations of not less than 26,000 nor more than 27,000; regulating the compensation and allowances of members of the county board of education.

Also:

By Messrs. Pennington, Baker (Madison) and Reynolds:

H. 1137. To confer discretionary authority upon the Board of Commissioners of Madison County to appropriate from the general funds of the county sums of money, not to exceed five hundred dollars, for the payment of certain equitable and moral claims against the county, as the board may from time to time determine.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To confer discretionary authority upon the Board of Commissioners of Madison County to appropriate from the general funds of the county sums of money, not to exceed five hundred dollars, for the payment of certain equitable and moral claims against the county, as the board may from time to time determine.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Commissioners of Madison County may appropriate from the general funds of the county such sums of money as the board shall from time to time determine for the purpose of compensating individuals for personal injury or property damage caused by the operation or use of Madison County equipment or machinery, or by Madison County employees acting within the scope of their employment, or by defects in any county building, road, bridge or causeway; ~~provided, however, that no appropriation for personal injury or property damage covered by this Act shall exceed the sum of five hundred dollars.~~ Nothing in this Act shall be construed as a waiver of the sovereign immunity of the county, or as a mandate to the county governing body; but rather the exercise of the authority to make payment of such equitable and moral claims against the county conferred hereby shall be wholly within the discretion of the Board of Commissioners of Madison County and shall not be subject to review or compulsion by any court upon any grounds.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. H. HANCOCK, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was GENERAL MANAGER of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 8, JULY 12, JULY 19, and JULY 26, all in the year 1965.

H. H. HANCOCK.

Sworn to and subscribed before me 26th day of July, 1965.

RUTH C. HIGDON,
Notary Public.
1/11/68.

Also:

By Messrs. Pennington, Baker (Madison) and Reynolds:

H. 1138. To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

Be It Enacted by the Legislature of Alabama:

Section 1. The country board of education of Madison County, upon the recommendation of the county superintendent of education, may select and adopt for use in the tax-supported public elementary and high schools in the county textbooks and instructional materials other than the textbooks and materials on the state-adopted list. Whenever textbooks and instructional materials are substituted for the state-approved or state-adopted books and materials, such books or materials shall be used by the teachers in the county public schools in teaching any course or courses for which a substitution has been made.

Section 2. The provisions of Act No. 412, S. 261, Regular Session 1945 (General Acts 1945, p. 647), and of Act No. 22, H. 40, Special Session 1965 (Acts 1965, p. 288), which are inconsistent with this Act are superseded by this Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. H. HANCOCK, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was GENERAL MANAGER of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 10, JULY 12, JULY 19, and JULY 26, all in the year 1965.

H. H. HANCOCK.

Sworn to and subscribed before me 21st day of JULY, 1965.

RUTH C. HIGDON,
Notary Public.
1/11/68.

Also:

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 1139. To amend Act No. 207, S. 25 (Special Session, 1961, p. 2185) providing for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 110,000 nor more than 160,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Also:

By Mr. Carr:

H. 1142. Relating to Marshall County: To abolish the branch of the circuit court of Marshall County and the branch offices of the clerk and register thereof at Albertville if the qualified voters of Marshall County approve of the abolition of such branch of the court at a referendum election held pursuant to this Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Marshall County: To abolish the branch of the circuit court of Marshall County and the branch offices of the clerk and register thereof at Albertville if the qualified voters of Marshall County approve of the abolition of such branch of the court at a referendum election held pursuant to this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The branch of the circuit court of Marshall County at Albertville, established by Act No. 10, S. 39, approved August 18, 1909 (Local Acts of 1909, page 14) is hereby abolished, and all powers and jurisdiction of such abolished branch of the court are hereby revested in and hereafter shall be exercised by the circuit court of Marshall County, which shall be held only at Guntersville. Any and all causes now pending in the Albertville division of the circuit court are hereby transferred to and shall proceed in the circuit court of Marshall County held at the county seat as though the same had been begun therein.

Section 2. All dockets, records and books used by the circuit court at Albertville and kept by the circuit clerk or his deputy in Albertville shall be transferred to and be kept by the circuit clerk at his office in the county courthouse at the county seat.

Section 3. All dockets, records, books, and papers pertaining to the equity side of the branch of the circuit court of Marshall County at Albertville shall be transferred to and kept by the register of the circuit court at his office in the county courthouse at the county seat.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. Any and all laws or parts of laws requiring the circuit clerk or the register to maintain an office in Albertville or to provide for or require the appointment or compensation of a deputy circuit clerk or a deputy register in Albertville, and any and all laws or parts of laws in conflict with this Act are repealed.

Section 6. The substantive provisions of this Act shall become effective when the qualified voters of Marshall County approve of abolishing the branch of the circuit court of Marshall County at Albertville in a referendum election pursuant to Section 7 of this Act, but the provisions of this Act relative to the election shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

Section 7. (a) The court of county commissioners, board of revenue, or other governing body of Marshall County must provide for and order an election to be held on the first Tuesday after the expiration of three months from final adjournment of the 1965 regular session of the Alabama Legislature, at which the question of abolishing the branch of the circuit court of Marshall County at Albertville shall be submitted to the qualified electors of the county. Notice of the election shall be given by the sheriff of Marshall County at least thirty days before the election, by publication in some newspaper published in the county, if any is published therein, and if not by writing posted at the courthouse and at five other public places in the county of the time of holding the election.

(b) On the ballots to be used at the election the proposition shall be stated substantially as follows: "Shall the branch of the circuit court of Marshall County at Albertville be abolished? Yes (). No ()."

(c) The inspectors and officers of the election shall be appointed and compensated, the election held and the result declared in the same manner and by the same officers as regular elections for county officers are held under the general law.

(d) If a majority of the votes cast at the election shall be "yes," the branch of the circuit court of Marshall County at Albertville shall be abolished immediately pursuant to this Act. If a majority shall be "no," this Act shall have no further effect.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Forrest W. Crowe, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sand Mountain Reporter, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 8, July 15, July 22, and July 26, all in the year 1965.

FORREST W. CROWE.

Sworn to and subscribed before me July 26, 1965.

MIRIAM BREASEALE,
Bookkeeper.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B's 1126, 1132, 1133, 1135, 1136, 1137, 1138, 1139 and 1142. To the Committee on Local Legislation.

(The above numbered Bill, H. B. 1132, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Carr:

H. 1143. To consolidate the branches of the County Court of Marshall County and provide for the holding of the court at Guntersville; to provide for the consolidation of the dockets of the branches of the said court and the continuation of cases begun in such branches; and to provide for the transfer of the books, records and documents of the Albertville Branch of such court to the court in Guntersville.

With notice and proof thereto attached and herewith exhibited as follows:

PROPOSED ACT

State of Alabama, County of Marshall

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To consolidate the branches of the County Court of Marshall County and provide for the holding of the court at Guntersville; to provide for the consolidation of the dockets of the branches of the said court and the continuation of cases begun in such branches; and to provide for the transfer of the books, records and documents of the Albertville Branch of such court to the court in Guntersville.

Be It Enacted by the Legislature of Alabama:

Section 1. After this act becomes effective the County Court of Marshall County created by Act No. 30, S. 5 of the Regular Session 1963 (Acts of 1963, p. 404) shall not be divided into branches. The branches heretofore existing are hereby consolidated and after this act becomes effective the county court shall be held only at Guntersville, the county seat. All cases pending in either branch of the court shall be transferred to a consolidated docket and shall proceed as though begun in the court, as consolidated. The County Court of Marshall County shall have power to control and may issue executions on judgments heretofore issued by either of the branches of the court which are hereby abolished.

Section 2. All books, records, and documents of the Albertville Branch of the county court shall be transferred to the courthouse in Guntersville and maintained as a part of the records of the county court in Guntersville. All funds, supplies and equipment of the Albertville Branch of the County Court shall be transferred to and vested in the court at Guntersville.

Section 3. All laws or part of laws in conflict herewith are hereby repealed and Section 9 of Act No. 30, S. 5 of the Regular Session 1963 (Acts of 1963, p. 404) and so much of Section 7 of said act as conflicts with this act are specifically repealed.

Section 4. The substantive provisions of this act shall become effective when the qualified voters of Marshall County approve of abolishing the Albertville Branch of the County Court of Marshall County in a referendum election pursuant to Section 5 of this act, but the provisions of this act relative to the election shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

Section 5. (a) The court of county commissioners, board of revenue, or other governing body of Marshall County must provide for and order an election to be held on the same day of the next county-wide primary, general or special election held in Marshall County at least ninety days after this enactment, at which the question of abolishing the Albertville Branch of the County Court shall be submitted to the qualified electors of the county. Notice of the election shall be given by the sheriff of Marshall County at least thirty days before the election, by publication in some newspaper published in the county, if any is published therein, and if not by writing posted at the courthouse and at five other public places in the county of the time of holding the election.

(b) On the ballots to be used at the election the proposition shall be stated substantially as follows: "Shall the Albertville Branch of the County Court of Marshall County be abolished? Yes () No ()."

(c) The inspectors and officers of the election shall be appointed and compensated, the election held and the result declared in the same manner and by the same officers as regular elections for county officers are held under the general law.

(d) If a majority of the votes cast at the election shall be "yes," the Albertville Branch of the County Court shall be abolished immediately pursuant to this act. If a majority shall be "no," this act shall have no further effect.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Porter Harvey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Advertiser-Glean, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 9, July 14, and July 21, all in the year 1965.

PORTER HARVEY.

Sworn to and subscribed before me July 22, 1965.

ALICE WELLS HARVEY,
Notary Marshall County.

Also:

By Mr. Carr:

H. 1144. To provide that the sheriff of Marshall County need not keep a deputy in an office at the courthouse in Albertville and to provide for the transfer of the records heretofore kept in Albertville by such sheriff or his deputy to the sheriff's office in the courthouse at Guntersville.

With notice and proof thereto attached and herewith exhibited as follows:

PROPOSED ACT

State of Alabama, County of Marshall

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide that the sheriff of Marshall County need not keep a deputy in an office at the courthouse in Albertville and to provide for the transfer of the records heretofore kept in Albertville by such sheriff or his deputy to the sheriff's office in the courthouse at Guntersville.

Be It Enacted by the Legislature of Alabama:

Section 1. After this act becomes effective the sheriff of Marshall County shall not be required to keep a deputy with an office at the courthouse in Albertville nor to keep any records for the circuit court in Albertville. Any records heretofore kept by such sheriff or his deputy in Albertville shall immediately after this act becomes effective be transferred to the sheriff's office in the courthouse in Guntersville.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective on the same day that an act proposed at the current session of the Legislature abolishing the branch of the circuit court of Marshall County at Albertville becomes effective. If such act does not become effective then this act shall have no force or effect.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Porter Harvey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Advertiser-Glean, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 9, July 14, and July 21, all in the year 1965.

PORTER HARVEY.

Sworn to and subscribed before me July 22, 1965.

ALICE WELLS HARVEY,
Notary, Marshall County.

Also:

By Mr. Jones (Monroe):

H. 1150. Relating to all counties having populations of not less than 22,350 nor more than 24,350 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Also:

By Messrs. Brewer and Slate:

H. 1151. To amend Section 2 of Act No. 437, H. 937, Regular Session 1951, an act fixing the compensation of the members and chairman of the board of revenue and control of Morgan County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 437, H. 937, Regular Session 1951, an act fixing the compensation of the members and chairman of the board of revenue and control of Morgan County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 437, H. 937, Regular Session 1951, an act relating to the compensation of the members and chairman of the board of revenue and control of Morgan County, Alabama, (Acts 1950-1951, v. 1, p. 789) is hereby amended to read as follows:

"Section 2. The Chairman of the Board of Revenue and Control of Morgan County, Alabama, shall receive as compensation for his services an annual salary of nine thousand dollars (\$9,000), to be paid in monthly installments on the second Monday in each month."

Section 2. This Act shall take effect at the expiration of the term of office of the incumbent chairman of the board of revenue and control of Morgan County.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1965.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 23, 1965.

MARY DELL SLACK,
Notary Public.

Also:

By Messrs. Brewer and Slate:

H. 1152. To amend further Section 1 of Act No. 464, H. 879, Regular Session 1939, an act fixing the compensation of the tax collector of Morgan County (Local Acts 1939, p. 278).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 464, H. 879, Regular Session 1939, an act fixing the compensation of the tax collector of Morgan County (Local Acts 1939, p. 278).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 464, H. 879, Regular Session 1939, an act fixing the compensation of the tax collector of Morgan County (Local Acts 1939, p. 278), as amended, is amended further to read as follows:

"Section 1. The salary or compensation of the Tax Collector of Morgan County, Alabama, shall be eight thousand four hundred dollars (\$8,400) per annum, and said annual salary shall be paid out of the county treasury of Morgan County, in equal monthly installments, at the end of each month."

Section 2. This Act shall take effect at the expiration of the term of the incumbent tax collector of Morgan County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1965.

JACK W. HOFFHAUS,

Sworn to and subscribed before me July 23, 1965.

MARY DELL SLACK,
Notary Public.

Also:

By Messrs. Brewer and Slate:

H. 1153. To amend further Section 1 of Act No. 361, H. 878, Regular Session 1939, an act fixing the compensation of the Tax Assessor of Morgan County (Local Acts 1939, p. 248).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 361, H. 878, Regular Session 1939, an act fixing the compensation of the Tax Assessor of Morgan County (Local Acts 1939, p. 248).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 361, H. 878, Regular Session 1939, an act fixing the compensation of the Tax Assessor of Morgan County (Local Acts 1939, p. 248), as amended, is amended further to read as follows:

"Section 1. The salary of the Tax Assessor of Morgan County, Alabama, shall be eight thousand four hundred dollars (\$8,400) per year, and shall be paid out of the County Treasury of Morgan County, in equal monthly installments, at the end of each month."

Section 2. This Act shall take effect at the expiration of the term of the incumbent Tax Assessor of Morgan County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1965.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 23, 1965.

MARY DELL SLACK,
Notary Public.

Also:

By Messrs. Slate and Brewer:

H. 1154. To abolish the jury commission of Morgan County as presently constituted and create in lieu thereof a commission composed of the circuit court judges of the eighth judicial circuit of Alabama or as many thereof as may be residents of Morgan County, the judge of the county court of Morgan County, and two additional members to be appointed by the governor.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MORGAN**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To abolish the jury commission of Morgan County as presently constituted and create in lieu thereof a commission composed of the circuit court judges of the eight judicial circuit of Alabama or as many thereof as may be residents of Morgan County, the judge of the county court of Morgan County, and two additional members to be appointed by the governor.

Be It Enacted by the Legislature of Alabama:

Section 1. The jury commission of Morgan County provided for by Chapter 2 of Title 30, Code of Alabama 1940, as presently constituted is hereby abolished.

Section 2. Hereafter, the jury commission of Morgan County shall be composed of the circuit court judges of the eighth judicial circuit of Alabama who reside in Morgan County, the judge of the county court of Morgan County, and two qualified electors of the county who are reputed for their fairness, impartiality, integrity and good judgment, appointed by the governor. The two appointive members of the jury commission shall hold office for terms to run concurrently with the term of the governor. They shall be commissioned by the governor and shall not during their tenure in said office hold any other public office by appointment or election or perform any other public duty under the federal, state, county or municipal government which carries with it any compensation whatsoever.

Section 3. The ex-officio members of the jury commission of Morgan County shall not be entitled to any remuneration whatever for the performance of their duties as jury commissioners. The appointive members of the commission shall be entitled to compensation at the rate prescribed for jury commissioners under general laws.

Section 4. The jury commission of Morgan County provided for in this Act shall have all the authority, perform all the duties, and perform the same functions as a jury commission provided for under the general laws in said Chapter 2 of Title 30, Code 1940.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1965.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 23, 1965.

MARY DELL SLACK,
Notary Public.

Also:

By Mr. NeSmith:

H. 1158. To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof.

Also:

By Mr. Engel:

H. 1145. Relating to the powers of cities having populations of not less than 200,000 and not more than 300,000 according to the most recent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances to permit certain commissions for the preservation and protection of the historic architectural character of the city and the promotion of historic districts as tourist attractions, to provide certain outdoor dining facilities in connection with such promotion; amending Section 3 of Act No. 356, H. 627, Regular Session 1963 (Acts 1963, p. 855).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1143, 1144, 1150, 1151, 1152, 1153, 1154, 1158 and 1145. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hain and Blanton:

H. 1115. To extend the boundaries of the City of Selma in Dallas County.

With notice and proof thereto attached and herewith exhibited as follows:

Legal Notices

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To extend the boundaries of the City of Selma in Dallas County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Selma in Dallas County are hereby extended so that the following described lands shall lie within the corporate limits of the said City:

Area No. 1—Beginning at the intersection of the south line of Section 5, Township 16 North, Range 10 East, with the north right-of-way line of the Louisville & Nashville Railroad, being the southwest corner of the property now or formerly owned by Clyde B. Cox; thence run North 33 degrees 20 minutes West along the west line of the Cox property for 800 feet; thence run North 48 degrees 45 minutes East along said line for 357 feet to the northwest corner of the Cox property; thence run approximately North 16 degrees West to the southwest corner of Lot 3, according to the map of Fairforest Subdivision recorded in Map Book 3, at Page 34, in the Probate Office of Dallas County, Alabama; thence run North 12 degrees 10 minutes West along the west lines of Lots 3, 2 and 1, of said Subdivision for 707 feet to the north line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 5; thence run East along said line for 822 feet, more or less, to a point on a line drawn 330 feet east of and parallel to the center-line of Land Line Road; thence run in a southerly and southeasterly direction along said parallel line to a point on a line drawn 530 feet north of and parallel to the centerline of the Old Orrville Road; thence run in a northeasterly direction along said line parallel to the Old Orrville Road to the west line of Tract 27, according to the map of the Kopecky Lands Subdivision recorded in Map Book 1, at Page 157 in said Probate Office; thence run in a southeasterly direction along said west line of Tract 27, and on a projection of said line, to the south margin of the Old Orrville Road; thence run in a southwesterly and southerly direction along the south and east margin of the Old Orrville Road to the north right-of-way line of the Louisville & Nashville Railroad; thence run in a southwesterly direction along said right-of-way line for 720 feet, more or less, to the point of beginning.

Area No. 2—Commencing at the intersection of the east line of Section 28, Township 17 North, Range 10 East, with the south line of the Southern Railway right-of-way; thence run in a westerly direction along said right-of-way line for 108 feet; thence run south and parallel to the east line of Section 28 for 428.4 feet, said point being the point of beginning; thence continue south and parallel to the east line of Section 28 to the south margin of the Old Marion Junction Road; thence run in a northwesterly direction along the south margin of said Road to the

south margin of Moore's Ferry Road; thence run in a southwesterly direction along the south margin of Moore's Ferry Road to the west line of the E $\frac{1}{2}$ of said Section 28; thence run north along said line to a point drawn 330 feet north of and parallel to the center-line of the Old Marion Junction Road, (said distance measured at right angles to said Road); thence run in a southeasterly direction along said parallel line to the west line of Tract 2, according to the map of the Mary J. Harrison Subdivision recorded in Map Book 1, at Page 112 in the Probate Office of Dallas County, Alabama; thence run North 11 degrees 23 minutes East along the west line of said Tract 2 to a point on a line drawn 420 feet south of and parallel to the south line of the Southern Railway right-of-way, (said distance measured at right angles to said right-of-way); thence run South 78 degrees 37 minutes East and parallel to said Railway right-of-way to the point of beginning.

Area No. 3: Beginning at the intersection of the north right-of-way line of U. S. Highway 80 with the east line of the SE $\frac{1}{4}$ of Section 22, Township 17 North, Range 10 East; thence run north along the east line of Section 22 for 662.4 feet; thence run North 83 degrees 41 minutes West and parallel to said Highway for 1183.1 feet; thence run at right angles South 6 degrees 19 minutes West for 778 feet to the south margin of U. S. Highway 80; thence run North 83 degrees 41 minutes West along said Highway margin for 350 feet; thence turn an angle to the left of 79 degrees 00 minutes and run South 17 degrees 19 minutes West to the center-line of the Felix Road; thence run in a southwesterly direction to the northwest corner of the E $\frac{1}{2}$ of Section 27, Township 17 North, Range 10 East; thence run south along the west line of the E $\frac{1}{2}$ of Section 27 to the south right-of-way line of the Southern Railway; thence run in an easterly direction along said right-of-way line to west line of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of said Section 27; thence run north along said line to a point due west of the southwest corner of Block E of the Merrimac Heights Subdivision, according to the map of said Subdivision recorded in Map Book 2, at Page 97, in the Probate Office of Dallas County, Alabama; thence run east to the southwest corner of said Block E; thence run in a northerly direction along the west boundary of said Block 1 to the south margin of U. S. Highway No. 80; thence run South 83 degrees 41 minutes East along said Highway margin to the east line of the SE $\frac{1}{4}$ of Section 22; thence run north along said line to the point of beginning.

Area No. 4—Beginning at the intersection of the west margin of Range Street with a line drawn 1450 feet south of and parallel to the center-line of Alabama Highway No. 14; thence run South 88 degrees 40 minutes East along said parallel line for 1615.3 feet; thence run South 1 degree 14 minutes West for 7 feet; thence run North 1 degree 52 minutes East and parallel to Range Street for 1397 feet to the south margin of Ala. Highway No. 14; thence run North 88 degrees 40 minutes West along said Highway margin for 1777.9 feet to the east margin of Range Street; thence run South 46 degrees 36 minutes West along said street margin for 139.1 feet; thence west at right angles to and across Range Street for 60 feet to the west margin of said Street; thence run South 1 degree 52 minutes West along said Street margin to the point of beginning; said described parcel is more particularly shown on a map recorded in Map Book 4, at Page 137, in the Probate Office of Dallas County, Alabama.

Area No. 5—Beginning at the center of Section 18, Township 17 North, Range 11 East; thence run south along the quarter section line to the southwest corner of the SE $\frac{1}{4}$ of Section 18; thence run approximately North 62 degrees 54 minutes East to the southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 18; thence run north along the east line of Section 18 to the northeast corner of said Section; thence run west along the north line of Section 18 to the southeast corner of Lot 14, according to the map of Paul-Nor Place recorded in Map Book 3, at

Page 25, in the Probate Office of Dallas County, Alabama; thence run in a northerly and westerly direction along the rear lot lines of Lots 14 through 20 of said Subdivision to the northwest corner of Lot 20; thence run North 64 degrees 14 minutes West for 53.3 feet to a point on the west margin of an unnamed street, according to said map; thence run in a southwesterly direction along the west margin of said unnamed street to the north margin of Wintergreen Road; thence run in a westerly direction along the north margin of Wintergreen Road, and on a projection of said line, to a point of a line drawn 300 feet west of and parallel to the west margin of Ala. Highway No. 22, (said distance measured at right angles to said Highway); thence run in a southwesterly direction and parallel to said Highway to the north line of Lot 1, according to the map of the W. D. Caine Subdivision recorded in Map Book 4, at Page 98 in said Probate Office; thence run North 77 degrees 36 minutes West along the north line of said Lot 1 to the west line of said Section 18; thence run south along said section line to the north line of Block A, according to the map of Bel-Meade Subdivision recorded in Map Book 4, at Page 31, in said Probate Office; thence run in a northwesterly direction along the north line of said Block A, and a continuation of said line, to the west margin of Azalea Drive; thence run in a southerly direction along the west margin of Azalea Drive to the north margin of Valley Creek Church Road; thence run in a westerly direction along the north margin of said Road for 235 feet; thence run in a southwesterly direction across said Road to the northwest corner of Lot 9 of Block B, according to said map of the Bel-Meade Subdivision; thence run South 19 degrees 26 minutes West for 200.2 feet to the southwest corner of said Lot 9; thence run in a southeasterly direction along the south line of said Block B to a point on a line drawn 300 feet west of and parallel to the west margin of Ala. Highway No. 22, (said distance measured at right angles to said Highway); thence run in a southwesterly direction and parallel to said Highway to the north line of Section 24, Township 17 North, Range 10 East; thence run east along said section line to the east margin of Alabama Highway No. 22; thence run in a northeasterly direction along the east margin of said Highway to the south margin of Norwood Drive; thence run in a northeasterly direction along the south margin of Norwood Drive to the north line of the SW $\frac{1}{4}$ of Section 18, Township 17 North, Range 11 East; thence run east along said line to the center of said Section 18, the point of beginning.

Section 2—This Act shall become effective May 1, 1966.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared HENRY H. LLOYD, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was business manager of the The Selma Times Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, 7, 14, & 21, 1965, all in the year 1965.

HENRY H. LLOYD.

Sworn to and subscribed before me July 24, 1965.

McLEAN PITTS,
Notary Public,

State of Alabama at Large.

My Commission expires: 3/12/66

Also:

By Mr. Branyon:

H. 1118. Relating to Fayette County; further regulating the compensation of the county superintendent of education.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF FAYETTE**

Notice is hereby given that bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Fayette County; further regulating the compensation of the county superintendent of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The compensation of the county superintendent of education of Fayette County shall be fixed by the county board of education. The amount thereof shall not exceed a sum equal to the amount fixed on the effective date of this enactment, plus an amount not to exceed thirty per cent thereof, to be paid at the same time and in the same manner as now prescribed by law for the payment of compensation to the county superintendent of education of Fayette County.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF FAYETTE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ronald Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1965.

RONALD HOWARD.

Sworn to and subscribed before me July 26, 1965.

MARILYN S. McEACHERN,
Notary Public.

Also:

By Mr. Branyon:

H. 1119. Relating to Fayette County; further regulating the compensation of members of the county board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FAYETTE

NOTICE is hereby given that bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Fayette County; further regulating the compensation of members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the county board of education in Fayette County shall each be paid from the public school funds of the county the per diem compensation now prescribed by law, plus fifty per cent of such per diem. Provided, such members shall not be paid for more than eighteen days in any one year. In addition to such compensation, members of the board shall be paid their actual traveling and hotel expense incurred in attending meetings of the board which expenses shall be paid in the manner provided for payment of compensation to teachers in Fayette County.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ronald Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1965.

RONALD HOWARD.

Sworn to and subscribed before me July 26, 1965.

MARILYN S. McEACHERN,
Notary Public.

Also:

By Mr. Stembridge:

H. 1121. To provide for the assessment, collection, amount and use of additional taxes or fees as items of court costs in cases docketed in certain courts in Houston County.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

To provide for the assessment and collection of a law library tax on fee in Houston County, Alabama; to fix the amount thereof, and the method and manner of the use thereof.

Be It Enacted by the Legislature of Alabama:

SECTION 1. In each civil action at law, suit in Equity, criminal case, proceedings on forfeiture of bailbond, or proceedings on a forfeiture of bond given in connection with an appeal from the judgment of conviction in any Inferior or Municipal Court to the Circuit Court, hereinafter filed in, arising in, or brought by appeal, certiorari, otherwise to the Circuit Court of Houston County, Alabama, or any other proceedings in said Court, there shall be taxed as costs the sum of \$1.00 which shall be an additional costs and shall be collected by the Clerk or Register of said Court, and shall be by them covered into the Solicitor's Fund of Houston County, Alabama.

SECTION 2. In each Civil Action at Law, and suits in equity hereinafter filed in the Houston Law & Equity Court of Houston County, Alabama, and Law & Equity Court of Houston County, Alabama, there shall be taxed as costs the sum of \$1.00 which shall be an additional costs and shall be collected as other costs in such cases are collected by the Clerk or Register of said Court, and shall be by them covered into the Solicitor's Fund of Houston County, Alabama.

SECTION 3. In each Criminal case or any other proceedings not covered by the preceeding section hereinafter filed in the Houston Law & Equity Court of Houston County, Alabama, and Law & Equity Court of Houston County, Alabama, there shall be taxed as costs the sum of \$.50 which sum shall be an additional costs and shall be collected as other costs in such cases are collected by the Clerk or Register of said Court, and shall be by them covered into the Solicitor's Fund of Houston County, Alabama.

SECTION 4. The sum so collected and transferred to the Solicitor's Fund of Houston County, Alabama, shall be used, exclusively, for the purpose of purchasing or maintaining a law library at the Court-house at Dothan; said sums to be expended or used for supplies, books, fixtures, and facilities for and by the law library of Houston County, Alabama, under the same supervision and management as set forth and provided in Act No. 410 of the Acts of the Legislature of Alabama of 1959, page 1044.

SECTION 5. The provisions of this Act are severable, if any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SECTION 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared MIRL CROSBY, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was GENERAL MANAGER of the THE DOTHAN EAGLE, a newspaper of general circulation published in HOUSTON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1965.

MIRL CROSBY.

Sworn to and subscribed before me July 23, 1965.

B. WALLACE MILLER,
Notary Public.

Also:

By Mr. Campbell (Jackson):

H. 1124. To alter, rearrange and extend the boundary lines and corporate limits of the City of Scottsboro, in Jackson County, Alabama; and to prescribe the time when this Act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Pursuant to the requirements of the Constitution and Laws of the State of Alabama, notice is hereby given of the intention to apply to the Legislature of the State of Alabama at its present, next, or subsequent regular or special session for the passage of a local law, which said local law is to be in substance as follows:

AN ACT TO ALTER, REARRANGE AND EXTEND THE BOUNDARY LINES AND CORPORATE LIMITS OF THE CITY OF SCOTTSBORO, IN JACKSON COUNTY, ALABAMA; AND TO PRESCRIBE THE TIME WHEN THIS ACT SHALL BECOME EFFECTIVE; AND TO PROVIDE FOR THE FURNISHING OF ELECTRIC POWER IN PARTS OF THE AREA INCLUDED:

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Scottsboro, in the County of Jackson, State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City of Scottsboro, all of the territory lying within the County of Jackson included within the following boundaries, namely:

Begin at the Southwest corner of Section 23, Township 5 South, Range 5 East, then run North with Section line to Southwest corner of Section 11, Township 5 South, Range 5; thence East to Southeast corner of Southwest quarter of the Southwest quarter of Section 11; thence Northeast to the Northeast corner of the Northeast quarter of the Northwest quarter of Section 11; thence East along Section line to Northeast corner of the Northwest quarter of the Northeast quarter of Section 11; thence run in a Northerly direction and parallel to the East boundary of Section 2, Township 5 South, Range 5 East, crossing said Section and

Sections 35 and 26, Township 4 South, Range 5 East to the Northwest corner of the Northeast quarter of the Northeast quarter of Section 26, Township 4, South, Range 5 East; thence North along the West boundary of the East half of the Southeast quarter of Section 23, Township 4 South, Range 5 East to the South right of way line of the Lee Highway; thence Northwest along the South right of way of the Lee Highway to the West boundary of the East half of said Section 23; thence run North along the West boundary of the East half of said Section 23 and to the South right of way line of the Old Larkinsville Road; thence run West along the South right of way of the Old Larkinsville Road one-fourth mile and to the West boundary of the Northeastquarter of the Northwestquarter of said Section 23; thence run North along the West boundary of said Northeast quarter of the Northwest quarter of said Section 23, and along the West boundary of the Southeast quarter of the Southwest quarter of Section 14, Township 4 South, Range 5 East to the North boundary of the South half of the South half of Section 14, Township 4 South, Range 5 East; thence East along the North boundary of the south half of the South half of said Section 14 to the West boundary of the East half of the Southeast quarter of said Section 14; thence run North along the West boundary of the East half of the Southeast quarter of said Section 14 to the Northwest corner thereof; thence East to the center of Section 13, Township 4 South, Range 5 East; thence Southeast to the Southeast corner of said Section 13; thence run East with the North line of Sections 19 and 20, Township 4 South, Range 6, East, and to the Northwest right of way line of the Southern Railroad at or near the Northeast corner of said Section 20; thence run Northeast along the Northwest right of way line of the Southern Railroad to the East boundary of the West half of the West half of Section 16, Township 4 South, Range 6 East; thence North to the Southeast corner of the Northwest Quarter of the Northwest quarter of said Section 16; thence West to the West boundary of said Section 16; thence North to the Northwest corner of said Section 16; thence West to the Southwest corner of the Southeast quarter of the Southeast quarter of Section 8, Township 4 South, Range 6 East; thence north to the Northwest corner of said Southeast quarter of the Southeast quarter; thence East with the North boundary of the South half of the South half of Sections 8 and 9, Township 4 South, Range 6 East to the East boundary of the West half of said Section 9; thence run North to the center of said Section 9; thence run East to the Northeast corner of the West half of the Southeast quarter of said Section 9; thence South to the South boundary of said Section 9; thence West along the South boundary of said Section 9, 2279.6 feet to the west right of way line of McFoilton Lane; thence run South 17 degrees 11' West 497.2 feet and to the Southeast corner of Lot 10, Block 2A of the Patrick Investment Company Property according to a survey made by B. M. Ballard dated April, 1965; thence run South 72 degrees 49' East 298.7 feet; thence South 85 degrees East 568 feet and to the West right of way line of a County Road; thence run South 0 degrees 22' West along the West right of way line of said County Road 940.2 feet; thence run North 89 degrees 08' West 539.5 feet; thence run South 73 degrees 0' West 265.5 feet; thence run South 0 degrees 05' West 213.3 feet and to the North right of way line of McFoilton Lane; thence run along the North right of way line of McFoilton Lane North 73 degrees East 349.2 feet and South 89 degrees 08' East 613 feet and to the East of right of way line of a County Road at or near the Southern Railroad right of way; thence run Southeast along the East right of way of said County Road to the Southeast right of way line of the Southern Railroad; thence run Southwest along the Southeast right of way line of the Southern Railroad to the South boundary of the North half of said Section 16; thence East to the middle of said Section 16; thence North along the West boundary of the East half of said Section 16, 575 feet; thence run East 675 feet; thence run North to the North right of way of a county road; which right of way is the South boundary of Estate No. 13 of the Rural Estates Subdivision

as the same is shown by a map or plat thereof recorded in Town Plat Book "A" at page 198 in the office of the Probate Judge of Jackson County, Alabama; thence run East along the North right of way line of said County Road to a branch which is shown on said plat crossing said Estate No. 13; thence run in a Northeasterly direction along said branch as the same meanders to the Northeast boundary of said Estate No. 13; thence run Southeast along the Northeast boundary of said Estate No. 13 to the Northwest right of way line of the Lee Highway; thence run Northeast with the Lee Highway to the East boundary of the West half of the East half of said Section 16; thence run South to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 16; thence run East to the Southeast corner of said Section 16, thence run South with the East Section line of Sections 21 and 28 of Township 4 South, Range 6 East to the Southeast corner of said Section 28; thence East with South Section line of Section 27, Township 4 South, Range 6 East to the Southeast corner of said Section 27; thence South with East line of Section 34, Township 4 South, Range 6 East and extending said line across McNary Reservation to the Northwest shore line of Guntersville Reservoir of the Tennessee River; thence Southwest with said shore line, passing Comer Bridge to Roseberry Creek Embayment and to where said shore line intersects the East Section line of Section 18, Township 5 South, Range 6 East; thence continue West and Northwest with the meanderings of said shoreline to a point where said shore line intersects with the North section line of said Section 18; thence run West with said Section line to the Northwest corner of said Section 18; thence run Southwest crossing Sections 13 and 23 of Township 5 South, Range 5 East to the Southwest corner of Section 23 and the point of beginning.

Section 2. Any laws or parts of laws, which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage, and approval by the Governor, or upon its otherwise becoming law.

Section 4. Be it further enacted that the North Alabama Electric Cooperative, its successors or assigns, be and it is hereby granted the exclusive right, or franchise, to furnish electrical power to customers that it now furnishes such power to although they may be included in an area that is being included within the corporate boundary of the city of Scottsboro by this act, and the city of Scottsboro, The Scottsboro Electric Power Board, nor any of their agencies shall acquire any right to serve such customers by reason of their being included within the city limits of said city.

Section 5. Should any part of this act be declared to be invalid by any court of competent jurisdiction such declaration, judgment or decree shall not affect the validity of the remainder of said act.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having

appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1965.

FRED J. BUCHHEIT.

Sworn to and subscribed before me July 20, 1965.

EVELYN TUBBS,
Notary Public.

Also:

By Mr. Campbell (Jackson):

H. 1125. To authorize the establishment of branch banks in counties having a population of not less than 36,600 nor more than 37,600.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1115, 1118, 1119, 1121, 1124 and 1125. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Davis:

H. 1101. To apply only in counties of the state having populations of not less than 14,300 nor more than 14,800 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

By Mr. Paulk:

H. 1102. To amend further Section 2 of Act No. 155, H. 296, Regular Session 1953 (Acts 1953, v. I, p. 197), an Act relating to the duties and compensation of county commissioners of Bullock County, so as to provide a mileage allowance for such commissioners.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To amend further Section 2 of Act No. 155, H. 296, Regular Session 1953 (Acts 1953, v. I, p. 197), an Act relating to the duties and compensation of county commissioners of Bullock County, so as to provide a mileage allowance for commissioners.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 155, H. 296, Regular Session 1953 (Acts 1953, v. I, p. 197), an Act relating to the duties and compensation of county commissioners of Bullock County, is amended further to read as follows:

"Section 2. That in lieu of the per diem and mileage now authorized and allowed the county commissioners under the provisions of Title 12, Section 28, Code of Alabama 1940, as amended, for the performance of duties with relation to the public roads and bridges of the county, the County Commissioners of Bullock County shall be paid the sum of \$300.00 monthly for the performance of such duties with relation to the public roads and bridges of Bullock County, Alabama. In addition, each County Commissioner shall be entitled to ten cents per mile for each mile traveled on such official business, but the total mileage allowance claimed by or paid to any Commissioner for any calendar month shall not exceed one hundred fifty dollars (\$150). Such payments shall be paid from the Gasoline Tax Fund of the county by warrant drawn by the Judge of Probate on order of the Court of County Commissioners."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Garner, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher & Owner of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1965.

W. H. GARNER, SR.

Sworn to and subscribed before me June 26, 1965.

SUE D. HUTTO,
Notary Public.

Also:

By Mr. Paulk:

H. 1103. Relating to Bullock County; fixing the terms of office of the members of the court of county commissioners.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Bullock County; fixing the terms of office of the members of the court of county commissioners.

Be It Enacted by the Legislature of Alabama:

Section 1. The term of office of each member of the Bullock County court of county commissioners shall be six years. The incumbent members shall serve until their successors are elected and qualified as provided herein. One commissioner shall be elected from each of the four commissioners' districts, as follows: at the general election in 1968, and every six years thereafter, from the second and fourth districts; at the general election in 1970, and every six years thereafter, from the first and third districts. Each commissioner shall take office on the first Monday after the second Tuesday in January following his election, and shall serve until his successor is elected and qualified as prescribed by law.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Garner, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher & Owner of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1965.

W. H. GARNER, SR.

Sworn to and subscribed before me June 26, 1965.

SUE D. HUTTO,
Notary Public.

Also:

By Mr. Doggett:

H. 1104. To amend Act No. 98, H. 362, approved June 16, 1945, an act relating to the fine and forfeiture fund of Choctaw County (Local Acts 1945, p. 65).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made. to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 98, H. 362, approved June 16, 1945, an act relating to the fine and forfeiture fund of Choctaw County (Local Acts 1945, p. 65).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 98, H. 362, approved June 16, 1945, entitled "An Act To dispose of the fine and forfeiture fund in Choctaw County, Alabama; to legalize all claims against such funds regardless of their date; to designate the claim of such fund; to provide for the manner of payment of all claims which are by law a charge against said fund; and, to provide for the registration of such claims" is hereby amended to read as follows:

"Section 2. That all claims now existing are by this act made legal charges against the said fund, regardless of their date, or which may hereafter accrue, that they are by law charges against the general fund of Choctaw County, Alabama, and shall be paid out of the treasury of Choctaw County and shall be legal claims against said fund; and witness fees in criminal cases shall be paid over to the general fund by the clerk of any court collecting same, excluding justice of the peace courts, at the end of the month in which collected, and he shall receive the usual commission for remitting said fees to the county treasurer. Witness certificates given in any court in Choctaw County, excluding justice of the peace courts, shall be negotiable immediately and payable upon presentation to the county treasurer."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the The Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, 1965, July 8, 1965, July 15, 1965 and July 22, 1965, all in the year 1965.

M. HOLLIS CURL.

Sworn to and subscribed before me July 27, 1965.

JANICE W. BLOUNT,
Notary Public.

Also:

By Mr. Turner (Crenshaw):

H. 1105. Relating to counties having populations of not less than 14,000 nor more than 15,000; providing an expense allowance for the superintendent of education of any such county.

Also:

By Mr. Turner (Crenshaw):

H. 1106. Relating to counties having populations of not less than 14,000 nor more than 15,000; providing expense allowances for certain deputy sheriffs of such counties.

Also:

By Mr. Drake:

H. 1109. To increase the compensation of the Clerk of the Circuit Court of Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To increase the compensation of the clerk of the circuit court of Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. The clerk of the circuit court of Cullman County shall be entitled to receive the sum of \$50 a month in addition to the compensation provided by Act No. 297, H. 554, Regular Session 1957 (Acts 1957, v. 1, p. 397), and in addition to all other remuneration provided by law for the performance of the duties of his office, which sum shall be paid him each month from the general funds of Cullman County.

Section 2. This Act is cumulative.

Section 3. This Act shall become effective at the expiration of the term of office of the incumbent circuit clerk.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1965.

ROBERT BRYAN,
Publisher.

Sworn to and subscribed before me July 14, 1965.

COLLEEN BUCHANAN,
Notary Public.

Also:

By Mr. Drake:

H. 1110. To amend Section 4 of Act No. 167, H. 422, approved September 23, 1959 (Acts 1956, v. 1, p. 690), an act creating a Board of Revenue for Cullman County, so as to provide an expense allowance for the associate members of such board.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 4 of Act No. 167, H. 422, approved September 23, 1959 (Acts 1956, v. 1, p. 690), an act creating a Board of Revenue for Cullman County, so as to provide an expense allowance for the associate members of such board.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 167, H. 422, approved September 23, 1959 (Acts 1959, v. 1, p. 690), an act creating a Board of Revenue for Cullman County, is amended to read as follows:

"Section 4. The associate members of the board of revenue shall not be required to devote full time in the discharge of their official duties. They shall attend all meetings of the board however, and for the performance of their duties each of them shall receive a salary of nine hundred dollars (\$900) per annum and an expense allowance of fifty dollars (\$50) per month, payable in equal monthly installments out of the county treasury."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the day after the general election in November 1966.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared

in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1965.

ROBERT BRYAN,
Publisher.

Sworn to and subscribed before me July 14, 1965.

COLLEEN BUCHANAN,
Notary Public.

Also:

By Mr. Drake:

H. 1112. To provide for the payment of expense allowances to members of the Board of Registrars of Cullman County from county funds.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the payment of expense allowances to members of the board of registrars of Cullman County from county funds.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of registrars of Cullman County shall each receive \$5.00 per day to be paid by the county on order of the probate judge for expenses incurred in each day's attendance of the registrar upon the sessions of the board. The expense allowances provided for herein shall be payable from the general fund of the county.

Section 2. The provisions of this Act are cumulative.

Section 3. This Act shall become effective on the day after the general election in November 1966.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared

in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1965.

ROBERT BRYAN,
Publisher.

Sworn to and subscribed before me July 14, 1965.

COLLEEN BUCHANAN,
Notary Public.

Also:

By Mr. Drake:

H. 1113. Providing expense allowances for the Chairman and Members of the Board of Equalization of Cullman County payable from the county treasury.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing expense allowances for the chairman and members of the board of equalization of Cullman County payable from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. In Cullman County, the chairman and each member of the board of equalization shall be paid an expense allowance of \$5.00 by the county for each day's attendance upon the sessions of the board. Such allowance shall be disbursed on order of the probate judge and payable from any funds in the county treasury not otherwise appropriated.

Section 2. This Act is cumulative, and shall become effective on the day after the general election in November 1966.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1965.

ROBERT BRYAN,
Publisher.

Sworn to and subscribed before me July 14, 1965.

COLLEEN BUCHANAN,
Notary Public.

Also:

By Mr. Drake:

H. 1114. To amend Section 2 of Act No. 18, H. 6, First Special Session 1955, an act creating the Cullman County Commission on Education.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 of Act No. 18, H. 6, First Special Session 1955, an act creating the Cullman County Commission on Education.

Be It Enacted by the Legislature of Alabama:

Section 2 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, v. 1, p. 45), an act creating the Cullman County Commission on Education, is hereby amended to read as follows:

"Section 2. The Cullman County Commission of Education shall be composed of five members elected by districts as follows: one member shall be elected from, shall be a qualified elector of, and shall reside in each of the five high school attendance areas hereinafter described: district one, the West Point area, shall consist of election precincts 13, 14, 15, 16, 17, 18, and 33; district two, the Fairview area, shall consist of election precincts 19, 28, 30, and 32; also, election district one of precinct 20 and election one of precinct 21; district three, the Holly Pond area, shall consist of election precincts 22, 23, and 24, and also election district two of precinct 20 and election district two of precinct 21; district four, the Hanceville area, shall consist of election precincts, 2, 3, 4, 5, 6, 11, 25, 27, and 31; district five, the Cold Springs area, shall consist of precincts 7, 8, 9, 10, 12, 26, and 29. The members of the Commission for districts one and two shall each be elected at the general election in November 1966, and every four years thereafter. The members for districts three, four, and five shall each be elected at the general election in November 1968, and every four years thereafter. Members of the Commission shall take office on the first Monday after the second Tuesday in January next succeeding their election. They shall qualify and be removed in the same manner as members of county boards of education. All members of the Commission shall be, at the time of their election or appointment and during their continuance in office qualified election of Cullman County and of the district for which he is elected. The members of the Commission shall elect a chairman from among their own number, and three members of the Commission shall constitute a quorum for the transaction of its business."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 11, July 18, and July 25, all in the year 1965.

ROBERT BRYAN,
Publisher.

Sworn to and subscribed before me July 26, 1965.

COLLEEN BUCHANAN,
Notary Public.

My Commission Expires Nov. 4, 1968.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1101, 1102, 1103, 1104, 1105, 1106, 1109, 1110, 1112, 1113 and 1114. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Young, Powell, Meade, Nettles, Doggett, Avery, Cornett and Barnett:

H. 415. Relating to the theft of livestock: To require that any rifle, pistol or other gun-type weapon or device shall be registered with the Judge of Probate where such weapon is designed for use for capturing, controlling or immobilizing livestock and other animals by the distant injection of drugs, tranquilizers or other fluids or substances.

Also:

By Mr. Burnham:

H. 894. Proposing an amendment to the Constitution of Alabama authorizing each county and municipality of the State to levy and collect additional property taxes for library purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 415. To the Committee on Agriculture.

H. B. 894. To the Committee on Judiciary.

(The above numbered Bill, H. B. 894, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Moore:

H. 1058. To authorize and provide for the establishment of the Lawrence County Junior College; to provide for the use of the Lawrence County High School building for such college; to fix the qualifications of the president and teachers of such junior college and to provide for their compensation; and to prescribe the authority and the responsibility of the State Board of Education and the Lawrence County Board of Education under this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for the establishment of the Lawrence County Junior College; to provide for the use of the Lawrence County High School building for such college; to fix the qualifications of the president and teachers of such junior college and to provide for their compensation; and to prescribe the authority and the responsibility of the State Board of Education and the Lawrence County Board of Education under this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Lawrence County a junior college, which shall be known as the Lawrence County Junior College and which shall be located in the present Lawrence County High School building at Moulton, or any building hereafter erected for use as a county high school. No junior college classes shall be scheduled or held in such high school building before the hour of 4 p. m.

Section 2. Except as otherwise provided in this Act, the State Board of Education shall have the authority and responsibility for the operation, management, control and supervision relative to Lawrence County Junior College as is vested in it by Act No. 94, H. 103, Second Special Session 1963 (Acts 1963, p. 268), relative to other institutions authorized by the Alabama Trade School and Junior College Authority Act.

Section 3. Only local businessmen or persons qualified to teach in high school shall be employed as teachers in the Lawrence County Junior College. The first president of such college shall be the person now serving as principal of the Lawrence County High School. His successor shall be selected from among the high school teachers with masters degrees employed by the Lawrence County Board of Education. The State Board of Education shall fix and pay the compensation of the president and teachers for the performance of their duties with the Lawrence County Junior College in the same manner and from the same funds as the compensation of presidents and teachers of other state operated junior colleges are paid, and the Lawrence County Board of Education shall fix and pay the compensation of the president of the junior college and any teacher of such college who is employed by the county board of education for the performance of his duties as a high school principal or teacher.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 10, June 17, June 24, and July 1, all in the year 1965.

ARTHUR F. SLATON.

Sworn to and subscribed before me July 19, 1965.

JUDY B. JOHNSON,
Notary Public.

Also:

By Mr. Grouby:

H. 1086. Relating to Autauga County; authorizing additional days of meeting of the county board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County; authorizing additional days of meeting of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of education of Autauga County may, in its discretion, meet such number of days as its members may deem necessary for the orderly and efficient transaction of its business, but members shall not be entitled to per diem compensation for more than forty days in any one year.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1965.

Mrs. H. M. DOSTER,
Publisher.

Sworn to and subscribed before me July 24, 1965.

LULA MAI SCOTT,
Notary Public.

Also:

By Mr. Grouby:

H. 1087. Relating to Autauga County; authorizing the county board of revenue to provide office space, and certain equipment and supplies for the board of registrars and other governmental agencies in the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County; authorizing the county board of revenue to provide office space, and certain equipment and supplies for the board of registrars and other governmental agencies in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of revenue of Autauga County, or any succeeding county governing body performing the function of the board of revenue of said county, is authorized, in its discretion, to provide the county board of registrars or any other governmental agency in the county with office equipment, office supplies, postage, telephone services, and offices in the county courthouse or other county buildings. The cost incurred in providing such services, facilities, and conveniences shall be paid from any funds in the county treasury not otherwise appropriated.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1965.

MRS. H. M. DOSTER,
Publisher.

Sworn to and subscribed before me July 24, 1965.

LULA MAI SCOTT,
Notary Public.

Also:

By Mr. Grouby:

H. 1088. Relating to Autauga County; requiring the county to pay the premiums on the official bonds of all county officers who hold office by election.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County; requiring the county to pay the premiums on the official bonds of all county officers who hold office by election.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue or other like governing body of Autauga County is authorized and directed to provide for payment from the county treasury of all premiums on the official bonds of all county officers, including the coronor, who hold office by election.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1965.

MRS. H. M. DOSTER,
Publisher.

Sworn to and subscribed before me July 24, 1965.

LULA MAI SCOTT,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1058, 1086, 1087 and 1088. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Etheredge:

H. 793. Amend Section 2 of Act No. 207 of the First Special Session of the Legislature of Alabama of 1964, entitled "An Act to provide additional judges for the tenth judicial circuit of Alabama."

Also:

By Messrs. Tuck, Davis, Avery, Young and Barnett:

H. 968. Relating to qualifications of electors; requiring certain proof of age; amending Code of Alabama Title 17, Section 33.

Also:

By Mr. Fite:

H. 402. To fix the compensation of certain State Officers.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 793 and 402. To the Committee on Finance and Taxation.

H. B. 968. To the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 375. To alter or rearrange the boundary lines of the Town of Slocomb, Alabama, so as to include within the corporate limits of said town, all territories not within such corporate limits and also certain other territory contiguous thereto in Geneva County, Alabama.

Also:

S. 378. For the relief of Elmer Henry of Marshall County; authorizing the county governing body of Marshall County to make an appropriation of county funds to compensate Elmer Henry for certain damages.

Also:

S. 439. Relating to counties having a population of not less than 22,000 and not more than 22,350 according to the last or any subsequent federal decennial census; providing for the substitution by the county board of education in such county for use in the schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

Also:

S. 458. To repeal Act No. 62, H. 142, approved May 30, 1951, entitled "An Act to fix the territorial jurisdiction, subdivision jurisdiction or jurisdiction of area of the City Planning Commission of the City of Guntersville, Alabama."

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Rogers:

H. 301. To amend Code of Alabama 1940, Title 32, Sections 3, 4, 5, 12, 13, and 14 relative to the legislature; regulating its sessions, and providing for the compensation and allowances of its members and certain employees.

Also:

By Mr. Rogers:

H. 302. Proposing an amendment to the Constitution relating to sessions of the legislature and the compensation and allowances of members.

Also:

By Messrs. Crawford, Morrow, NeSmith, Bolton and Ingram:

H. 1123. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing each municipality in the state to issue revenue bonds for the purpose of enlarging, improving or expanding any manufacturing, industrial or commercial project then owned by such municipality and acquired by it pursuant to the provisions of Act No. 756 (1951 Regular Session), as heretofore amended, or for the combined purpose of so enlarging, improving or expanding any such project and of refunding any revenue bonds theretofore issued by it under said Act No. 756, and providing that no such bonds shall be deemed to constitute bonds or indebtedness of the municipality by which they are issued within the meaning of Sections 222 and 225 of the Constitution if by their terms they are not made a charge on the general credit or tax revenues of such municipality and are made payable solely out of revenues to be derived by such municipality from the leasing of such project as so enlarged, improved or expanded.

Also:

By Mr. Drake:

H. 597. To further promote the agricultural interests of the State by providing for the acquisition, establishment, equipment, operation,

and maintenance of state farmers' markets; and to define the duties, powers, and authority of the Farmers' Market Authority in relation to such markets.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 301 and 302. To the Committee on Public Roads and Highways.

H. B. 1123. To the Committee on Municipalities and Municipal Organizations.

H. B. 597. To the Committee on Agriculture.

(The above numbered Bills, H. B.'s 302 and 1123, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turner (Limestone):

H. 1134. To amend Section 16 of Act No. 107, SB 2, passed by the 1965 Special Session of the Legislature of Alabama, so as to preserve the right of the State Board of Health to approve the source of water furnished by incorporated water authorities.

Also:

By Mr. Salter:

H. 31. To amend Section 10 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963, (Acts of 1963, Vol. 2, p. 931), an act regulating the labeling, sale, offering or exposing for sale or the distribution of agricultural, vegetable, flower, tree, shrub and herb seeds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 1134. To the Committee on Public Health.

H. B. 31. To the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 482, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 482 with a suggested executive amendment.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 3, 1965

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 482, without my approval and with a suggested executive amendment, as follows:

Amend House Bill 482 by adding at the end of Section 4 of said bill, the following:

"(i) Nothing contained in this Act, however, shall be construed as imposing any additional tax or license upon the sales made by the Alabama Alcoholic Beverage Control Board."

Sales made by Alcoholic Beverage Control Stores in other counties where local taxes are in existence are exempt from such local taxes because of the burden the collection of such taxes places upon the Alcoholic Beverage Control Board. In order to be consistent with the procedure followed in other counties and to meet the requirements of the Alcoholic Beverage Control system, I deem it necessary to suggest this executive amendment, and, if adopted, will remove my objection to House Bill 482.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the Bill, H. 482, by a vote of Yeas 61; Nays 9, which was a majority of the whole number elected to the House.

And said bill:

H. 482. To levy in each county of the State having a population of 500,000 or more according to the last or any subsequent federal census, a privilege or license tax against persons engaged in said county in the business of selling tangible personal property at retail or conducting places of amusement or entertainment or engaged in said county in any business subject to the State sales tax, and to levy an excise tax on the storage, use or other consumption in said county of tangible personal property purchased at retail; to provide that the said privilege or license taxes are required to be passed on to the consumer or purchaser at retail to the extent provided for in this act; to provide for the making of re-

ports or returns and the keeping of records with respect to the taxes herein levied; to provide that the exemptions applicable to the State sales tax statutes and the State use tax statutes, as said statutes may from time to time be amended, shall be applicable respectively to the said privilege or license tax and the said excise tax; to confer power to administer the act upon the Commissioner of Licenses or other officer or employee of the county charged with the duty of collecting county business license taxes or other license taxes now or hereafter required by law to be paid; to provide for the collection of the taxes levied by this act; to authorize the said Commissioner of Licenses, or other county officer or employee collecting said business license taxes or other license taxes, as aforesaid, to enforce such collection by civil suit, injunction, and accounting or any of them; to provide that the taxes levied by this act shall constitute a lien and to provide that such lien shall be superior to all other liens except the liens of ad valorem taxes, other license taxes, and municipal assessments; to provide for the enforcement of the lien of the taxes levied by this act; to provide that any taxpayer dissatisfied with the assessment made against him with respect to any such tax may appeal from the assessment to the Circuit Court of the county, sitting in equity, and to prescribe the procedure on such appeal; to establish the County Indigent Care Fund to be used by the county in supplying hospital care and other medical care and necessities to the indigent sick of the county; to prescribe the amount of the taxes so collected which shall be paid into the general fund of the county for the collection of said taxes and for the enforcement and administration of this act; and to provide that the remainder of said taxes shall be paid into the County Indigent Care Fund and used for the purpose for which said fund is established by this act.

as amended by the amendment proposed by His Excellency, the Governor, was again read a third time at length and passed by a vote of Yeas 76; Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Dumas, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 482, the title of which and said Executive amendment are set out at length in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	Metcalf	Shelton
Bentley	Givhan	Montgomery	Smith
Brannan	Hammond	Nichols	Taylor
Carter	Horton	Oden	Tyson
Clark	James		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 483, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 483, with suggested executive amendments.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 3, 1965

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 483, with suggested executive amendments, as follows:

Amend the title of House Bill 483 by deleting the words and figures "at the rate of twenty-five per cent (25%) of the purchase price of such beverages to the retailer;" where the words first appear together in said title of said bill and insert in lieu thereof the following words:

"in the following amounts: Whiskey, gin, brandy, rum, vodka, cocktails, and all other alcoholic beverages except malt beverages, wines and other fermented beverages, sold, distributed, delivered, stored, or taken out of storage within the county, on each bottle or container of two (2) ounces or less, ten cents (10¢); on each bottle or container of more than two (2) ounces and not more than one-half pint, twenty-five cents (25¢); on each bottle or container of more than one-half pint and not more than one pint, one dollar (\$1.00); on each bottle or container of more than one pint and not more than one-fifth of a gallon one dollar and sixty cents (\$1.60); on each bottle or container of more than one-fifth of a gallon and not more than one quart, two dollars (\$2.00); on each bottle or container of more than one quart, two dollars (\$2.00) plus ten cents (10¢) for each one and six-tenths (1-6/10) ounces or fractional part thereof in excess of one quart. Wines and other fermented beverages sold, distributed, delivered, stored, or taken out of storage within the county, on each bottle or container, twenty-five cents (25¢);"

Amend said House Bill 483 further by deleting Section 3 in its entirety and inserting in lieu thereof, the following:

"Section 3. Levy of Tax. Every person engaged in the sale of alcoholic, spirituous, vinous or fermented liquor, except malt or brewed

beverages of an alcoholic content not in excess of 4% by weight and 5% by volume, shall, in addition to all other taxes and licenses now imposed by law, pay a license tax to all counties in this State of 600,000 population or more according to the last or any succeeding federal census, and a license tax is hereby fixed and created, as follows: 'Whiskey, gin, brandy, rum, vodka, cocktails, and all other alcoholic beverages except malt beverages, wines and other fermented beverages, sold, distributed, delivered, stored, or taken out of storage within the county, on each bottle or container of two (2) ounces or less, ten cents (10¢); on each bottle or container of more than two (2) ounces and not more than one-half pint, twenty-five cents (25¢); on each bottle or container of more than one-half pint and not more than one pint, one dollar (\$1.00); on each bottle or container of more than one pint and not more than one-fifth of a gallon one dollar and sixty cents (\$1.60); on each bottle or container of more than one-fifth of a gallon and not more than one quart, two dollars (\$2.00); on each bottle or container of more than one quart, two dollars (\$2.00) plus ten cents (10¢) for each one and sixteenth (1-6/10) ounces or fractional part thereof in excess of one quart. Wines and other fermented beverages sold, distributed, delivered, stored or taken out of storage within the county, on each bottle or container, twenty-five cents (25¢)'. On or before the 15th day of the calendar month succeeding the calendar month in which the purchase of such beverages is made, each retailer or person making such purchase for resale shall pay to all counties in this State of 600,000 population or more according to the last or any succeeding federal census by payment to the Judge of Probate, License Commissioner, Director of County Department of Revenue, or any other public officer performing like duties in such counties said license tax at the rate as hereinabove set forth. If any amount of said license tax be not paid at or prior to the due date thereof, a penalty of twenty percent (20%) of such amount shall be added thereto and paid by such retailer with a minimum \$15.00 penalty in any event. In addition to the penalty of 20% or the minimum penalty of \$15.00, whichever shall apply, the Board of Revenue, County Commission, or like governing body of such counties, may revoke the license of such retailer for delinquent payment of the tax provided for herein. In addition to the penalties herein provided, any delinquent tax shall bear interest at the rate of six per cent (6%) per annum from date until paid. It shall be the duty of each person subject to the license tax imposed by this act to keep full and complete records of all purchases, receipts and deliveries of liquor and wine, or either from which records there can be readily obtained information as to the correct amount of license tax due the County. Such records shall be preserved for not less than two (2) years, and shall be open to inspection and checking at all times during regular business hours by the Judge of Probate, License Commissioner, Director of County Department of Revenue, or other public officer performing like duties in such counties or employees of such officer. The person liable for any license tax imposed by this act shall file with the Judge of Probate, License Commissioner, Director of County Department of Revenue, or other public officer performing like duties in such counties on or before the final date on which the license tax may be paid without penalty such report or reports, and in such form, as the Judge of Probate, License Commissioner, Director of County Department of Revenue, or other public officer performing like duties in such counties may prescribe sworn to or otherwise evidencing the amount of such purchases and the amount of license tax due thereon. (b) Any person selling alcoholic, spirituous, vinous, or fermented liquors purchased from any other person who has paid the license tax thereon as fixed in sub-section (a) of this section shall not be required to pay such license; provided, however, that in order to obtain such exemption such person claiming such exemption must, on or before the fifteenth day of the month next succeeding the effective date of this act, and on or before the 15th day of each and every calendar month thereafter, during which he claims such

exemptions, file with the Judge of Probate, License Commissioner, Director of County Department of Revenue, or other public officer performing like duties in such counties a written statement, sworn to and subscribed by such person claiming exemption, showing the name and address of such person, each and every purchase, receipt or procurement of alcoholic, spirituous, vinous or fermented liquors made by such person during the calendar month next preceding, together with the name and address of the person from whom purchased, received, or procured, the brand of such beverages, the quantity of each brand of such beverages, the size of containers of each brand of such beverages, the date or dates on which purchased, received or procured, and the disposition thereof by such person claiming the exemption, and evidence of payment of such tax by the person from whom such purchases was made; such statement to be made on forms prescribed by the Judge of Probate, License Commissioner, Director of County Department of Revenue, or other public officer performing like duties in such counties. (c) Each and every person selling alcoholic, spirituous, vinous or fermented liquors subject to this act, except such as claim and obtain exemptions under the provisions of subsection (b) of this section, shall, on or before the 15th day of the month next succeeding the effective date of this act, and on or before the 15th day of each and every month thereafter, file with the Judge of Probate, License Commissioner, Director of County Department of Revenue, or other public officer performing like duties in such counties, on forms prescribed by such official, a written statement, sworn to and subscribed by such person showing the name and address of such person, each and every purchase, receipt or procurement of alcoholic, spirituous, vinous or fermented liquors made by such person during the calendar month next preceding, together with the name and address of the person or agency from whom purchased, received, or procured, the price paid for each such purchase, the brand of such beverages, the quantity of each brand of such beverages, and the date or dates on which purchased, received, or procured; any licensee who has made no purchases or sales of beverages covered by this act during any month must file with the Judge of Probate, License Commissioner, Director of County Department of Revenue, or other public officer performing like duties in such counties on forms prescribed by such official a written statement sworn to and subscribed by such person, attesting that no such purchases or sales were made in such month. This report must be filed on or before the 15th day following any such month; and any person failing, refusing or omitting to file such statement as herein prescribed shall be guilty of a misdemeanor, and each day that such default continues shall constitute a separate offense. No licensee shall sell, or keep for sale, liquor or wine except in an original unbroken package or container, except as herein otherwise provided.

Amend said bill further by striking Section 14 of said bill and inserting in lieu thereof the following:

"Section 14. Any person violating any of the provisions of this act or rules or regulations of the Board of Revenue, County Commission, or like governing body of such counties, adopted hereunder shall on the first conviction be fined not less than One Hundred Dollars; and on the second conviction shall be fined not less than \$200.00; and on the third or any subsequent conviction the fine shall not be less than \$500.00 and as additional punishment the court may impose a hard labor sentence not to exceed six months. Upon any such conviction it shall be the duty of the License Inspector, Judge of Probate, License Commissioner, Director of the County Department of Revenue or other public officer performing like duties in such counties to report the conviction to the Alabama Alcoholic Beverage Control Board and the Board may, upon hearing, suspend or revoke the Alcoholic Beverage license of any licensee so convicted hereunder."

The above suggested executive amendments have the full knowledge and approval of the authors of the bill, and if adopted will remove my objection to said House Bill 483.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 483, by a vote of Yeas 69, Nays 2, which was a majority of the whole number elected to the House, and said bill:

H. 483. To levy a license tax in all counties in this State of 600,000 population or more according to the last or any succeeding federal census, on persons and others engaged in selling alcoholic, spirituous, vinous, or fermented liquor at retail to fix the rate or amount of such tax at the rate of twenty-five per cent (25%) of the purchase price of such beverages to the retailer; to provide for the payment of such tax, the making of records and reports, and the maintaining of records with respect thereto; to provide for the collection and distribution of said tax, and the enforcement of the provisions of this act; to provide that the Board of Revenue, County Commission, or like governing body of such counties, shall have authority to adopt ordinances, rules and regulations pertaining to the collection of the tax, and the making of reports and maintaining of records with respect thereto, and providing that such ordinances, rules, and regulations shall have the force and effect of law; to provide that the tax imposed shall constitute a debt to such county and may be collected by civil suit in addition to all other methods provided by law; to provide penalties for the violation of the provisions of this act; to provide that the tax, together with interest and penalties with respect thereto, shall constitute and be secured by, a lien upon the property of any person from whom the tax is due; to require any person or others engaged in selling alcoholic, spirituous, vinous, or fermented liquor to obtain a permit from the Judge of Probate, License Commissioner, Director of County Department of Revenue, or other public officer performing like duties in such counties; and to make a deposit of cash or marketable securities or to file a bond in an approximate sum of two times the estimated average monthly tax; to provide that the revenue derived from the tax, less the cost of collection, shall be paid into an Indigent Care Fund and to provide the purpose or purposes for which said tax may be expended; to repeal any act now in effect in counties subject to this act which levies a license tax on the sale of alcoholic, spirituous, vinous, or fermented liquors, and specifically to repeal Act No. 559 of the 1959 Regular Session of the Legislature of Alabama, approved November 15, 1959; to provide for appeals from any tax assessment made under this act and to provide that all taxes due and the remedies and penalties under said statutes repealed shall continue in effect as to any taxes accrued under said repealed statutes; to provide and fix penalties for the violation of any of the provisions of said Act; and to otherwise provide for the administration of said Act and the effective date thereof.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 74, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Dumas, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 483, the title of which and said Executive amendment are set out at length in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hornsby	Nichols	Taylor
Carter	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 248. Relating to Greene County; regulating and providing for the payment of compensation of election officers.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 62; Nays 0.

And said bill, as thus amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 65; Nays 0.

And said bill, together with the Executive Amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 318. To provide further for the selection of textbooks and instructional materials for use in the public schools in Marengo County.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 66; Nays 0.

And said bill, as thus amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 65; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Locke:

H. J. R. 134. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE THEREOF CONCURRING, That,

WHEREAS, Great Men and Great Deeds have created for America an unparalleled heritage and

WHEREAS, these men, their deeds, and the American heritage have throughout the years and to all subsequent generations been a source of inspiration, a challenge to greatness and excellence, a foundation of our faith and a determination to achieve our destiny, and

WHEREAS, in order to perpetuate these deeds and heroes and as constant reminders to all future generations, our public schools should expressly instruct them in suitable courses, as citizens and parents we should pause to commemorate these deeds and heroes. This being so:

BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the Alabama Legislature with the approval of the Governor does set aside the month of February as American History month. In order that all Alabama may pause to remember our great men of history and their deeds which constitute our American Heritage. That appropriate instruction be given throughout the year but during that week particular attention be given to the study of history.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 134, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Brown (Jefferson):

On the dethronement of Miss New York State

H. J. R. 131. WHEREAS Miss Gloria John, twenty-four year old shapely lass of Manhattan who having been selected as Miss New York State, was one of fifteen finalists for the title of Miss USA in the Miss Universe contest held in Miami on May 20, 1965; and

WHEREAS Miss John, highly deserving of this coveted recognition, being richly endowed by nature with the statistical measurements of 36-22-35, being five feet, five in height and weighing 113 pounds, is experienced in the entertainment field through her employment as a Bunny in the Playboy Club and related activities; and

WHEREAS Miss John's title has been lifted from her grasp by contest director Ted Marshall who gives as his reasons her failure to live up to the terms of her contract by her refusal to keep her appointments, by her unauthorized advertisement for a certain hair preparation, and because she is not representative of a typical New York beauty, while Miss John claims that her title was rescinded solely because she is a lady of color, and is being discriminated against for purely racial reasons; and

WHEREAS Miss John has secured legal advice from her attorney, Mr. Alfred J. Hemlock, who has advised her to seek an injunction against Mr. Marshall to restrain him from removing her title, and has also advised her to institute suite against said director for damages in the amount of one million dollars, a sum calculated to assuage only in part her multiple suffering resulting from such dastardly treatment; and

WHEREAS Miss John's claims, if true, indicate a deplorable and flagrant violation of the Fourteenth Amendment which no red blooded All American boy can countenance, and such racial discrimination and outrageous maligning of this helpless child on the part of New Yorkers as to be unbearable to the people of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body calls upon Senator Jacob Javits and Senator Bobby Kennedy of New York to instigate a comprehensive and detailed investigation to determine the facts in this matter, to take such measures as they may deem necessary and appropriate to remedy the situation and to make public their findings.

RESOLVED FURTHER that a copy of this resolution shall be sent to Senators Javits and Kennedy.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 131, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. McDermott, Hogan, Rogers, Engel and Collins (Mobile):

H. J. R. 135. WHEREAS, The Columbian Squires provide superb preparation and training for future members of the Knights of Columbus; and

WHEREAS, The Saint Dominic Savio Circle 1516 of Mobile has been chosen the top Columbian Squire Circle in the entire United States for 1963-1964; and

WHEREAS, Squire Joseph A. Conner of the Saint Dominic Savio Circle has been chosen the Squire of the Year for the State of Alabama.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Saint Dominic Savio Circle 1516 and Mr. Joseph A. Conner be commended for the achievements earned by them.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Messrs. Michael T. Midgette, Chief Squire; Harmon L. Schreiner, Jr., Chief Counsellor; and Robert Smith, present Counsellor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Rules were suspended and the Resolution, H. J. R. 135, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Daniel, Callahan and McDermott:

H. J. R. 133. WHEREAS, the Honorable Robert E. Sutton, Sr., a former member of the House of Representatives from Marengo County has announced his retirement as Editor and Publisher of "The Democrat-Reporter", a newspaper which he published in Linden, Alabama for more than fifty years; and

WHEREAS, "Mr. Bob", as he is affectionately known by his many friends has had a distinguished career, not only as a newspaper publisher, but as a Legislator and as an all-round good citizen; and

WHEREAS, "Mr. Bob" is loved by all who know him, he having served as Mayor of Linden, having served as a long time Sunday School teacher in the Linden Baptist Church and as Superintendent of the Sunday School, as a Deacon and on uncountable committees in his church and in his community; and

WHEREAS, "Mr. Bob" is a Shriner, a Mason, a member of the Chamber of Commerce, the Alabama Press Association and many other organizations of distinction; and

WHEREAS, the Legislature does wish to honor its former member, "Mr. Bob", at this time.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature does congratulate the Honorable R. E. Sutton on his long, useful and distinguished career and does wish for him many more years of health and happiness.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Honorable R. E. Sutton and that a copy be sent to "The Democrat-Reporter" of Linden, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Eddins, the Rules were suspended and the Resolution, H. J. R. 133, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Boston, Hannah and Bailes.

H. J. R. 128. WHEREAS the untimely death on July 29 of Mr. Clyde W. Anderson, prominent political figure of this State and long time civic leader of Florence, has shocked and grieved his many friends; and

WHEREAS Mr. Anderson was a member of the State Democratic Executive Committee, and a former member of the State Democratic Steering Committee whose sound advice and wise counsel was eagerly sought; and

WHEREAS Mr. Anderson had long been active in church, civic, cultural, and political activities of Florence and had used his influence and untiring efforts toward the betterment of his State and community; and

WHEREAS Mr. Anderson was a true Southern gentleman whose personal charm and friendly manner endeared him to all with whom he came in contact; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply regrets the passing of Mr. Anderson and extends its sincere sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Horton, the Rules were suspended and the Resolution, H. J. R. 128, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Camp:

H. J. R. 119. WHEREAS Miss Carrie Henderson of Talladega served the Alabama School for the Deaf with diligence and devotion for thirty one years; and

WHEREAS, as a teacher in the School from 1904 to 1913 and as principal from 1913 until her retirement in 1936, Miss Henderson proved herself an educator in the noblest sense. A builder who wrought with her whole heart and mind, she left a heritage that will live on in the lives and character of the deaf. Her influence has spread across the whole nation through the many fine teachers she trained to teach the deaf; and

WHEREAS it is appropriate that special recognition be given Miss Henderson for her many years of faithful and beneficial service to the Alabama School for the Deaf and for her continued interest in the School and students since her retirement; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the boys' dormitory on the campus of the School for the Deaf of the Alabama Institute for Deaf and Blind now known as Taylor Hall III shall be hereafter designated Carrie Henderson Hall in honor of this deserving teacher and lady, and the governing authorities of the institution are hereby directed to have such name inscribed or affixed to the building in an appropriate manner.

BE IT FURTHER RESOLVED That copies of this Resolution be sent to Miss Henderson, who now resides at the Talladega Nursing Home, and to Mr. E. H. Gentry, President of the Alabama Institute for Deaf and Blind.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 119, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Callahan, Campbell (Tuscaloosa) and Brown (Tuscaloosa):

H. J. R. 108. WHEREAS, Col. W. Tandy Barrett, Tuscaloosa businessman and civic leader, will be awarded the Gold Medal of Merit of the "Veterans of Foreign Wars" of the United States, in a special ceremony in Tuscaloosa on Thursday, July 29, 1965, and,

WHEREAS, the announcement was made by John A. (Buck) Jenkins, National Commander-in-Chief of the V. F. W., a one million three hundred thousand member organization made up of overseas veterans, who said that "Colonel Barrett was selected for the National Honor for his outstanding service to the Nation, state and community, both in war and peace," and

WHEREAS, this is a great honor to a great man and the Legislature of Alabama wishes to commend Buck Jenkins for conferring this honor and wishes to congratulate Col. Barrett on being the recipient of this great honor,

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF, CONCURRING,

That this Legislature does commend Buck Jenkins and the V. F. W. for this act on their part and be it further resolved that the Legislature does congratulate Colonel Barrett upon his receipt of this great honor and does wish for him a long life of continued service to his nation, his state and community.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Honorable Buck Jenkins and that a copy be forwarded to Col. W. Tandy Barrett.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McCain, the Rules were suspended and the Resolution, H. J. R. 108, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses, on the Senate Amendment to the bill, H. 685. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE ON CONFERENCE ON H. B. 685

We, the committee of conference appointed to reconcile the difference of the two houses concerning the Senate's amendment to H. B. 685, have met in conference, considered the matter in conference, and have agreed to the following report:

1. We recommend that the Senate recede from its amendment to the bill;

2. We recommend that the attached substitute for the bill be adopted and the bill as substituted by the conference committee be passed by both houses.

Conferees on the part of the House
O. J. Goodwyn
Sam C. Nettles, Jr.

Conferees on the part of the Senate
Joseph W. Smith
James S. Clark

CONFERENCE COMMITTEE
SUBSTITUTE FOR H. B. 685A BILL
TO BE ENTITLED
AN ACT

To amend Section 204, Section 207, Section 213, Section 214, Section 224, Section 225 and Section 243, Title 26, Code of Alabama 1940, as last amended, and to repeal Section 212, Title 26, Code of Alabama 1940, all relating to unemployment compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 204, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"§ 204. Experience Rating, rates and contributions.

A. (1) For the twelve-month period beginning on the 1st day of April 1941, and each twelve-month period beginning on the 1st day of April thereafter, the contribution rates of each employer whose employment record has been chargeable with benefit wages during not less than the three consecutive calendar years immediately preceding any such 1st day of April and of his employees shall be determined by the unemployment compensation fund's maximum liability for benefits to his employees who have received benefits, modified by the state experience as to average duration of benefit payments as provided herein, except that,

(2) For the twelve-month period beginning on the first day of April 1956 and for each twelve-month period beginning on the first day of each April thereafter, any employer who has not been subject to the law for a sufficient period to qualify for a rate determination under subsection A (1) of this section but whose employment record has been chargeable with benefit wages throughout at least the calendar year immediately preceding such first day of April shall have his rate and that of his employees determined by the unemployment compensation fund's maximum liability for benefits to his employees who have been paid benefits, modified by the State experience as of the most recent December 31 as to average duration of benefit payments as provided herein.

(3) Subsequent to January 1, 1955, any employer who has not been subject to the law for a sufficient period to qualify for a rate determination under subsection A (1) or (2) of this section but whose employment record has been chargeable with benefit wages throughout a four-consecutive calendar quarter period ending March 31, June 30, or September 30, as the case may be, shall have his rate and the rate of his employees determined by the unemployment compensation fund's maximum liability for benefits to his employees or former employees who have been paid benefits modified by the State experience as of the most recent December 31 as to average duration of benefit payments as herein provided. The rates so determined shall be effective for the period beginning on the first day of the fourth month following such March 31, June 30, or September 30, as the case may be, and ending on the following March 31. Rates under this paragraph will first be computed for the period beginning July 1, 1955, but no rates shall be computed under this paragraph to be effective for any period ending after March 31, 1966.

(4) If the director finds that an employer's business is closed solely because of the entrance of one or more of the owners, officers, partners, or the major stockholders into the armed forces of the United States, or any of its allies, after July 1, 1950, such employer's experience rating account shall not be terminated; and, if the business is resumed within two years after the discharge or release from active duty in the armed forces of such person or persons, the employer's experience shall be deemed to have been continuous throughout such period. The benefit wage percentage of any such employer for the calendar year in which he resumes business and the three calendar years immediately following shall be a percentage equal to the total of his benefit wages (including any benefit wages resulting from the payment of benefits to any individual during the period the employer was in the armed forces based upon wages paid by him prior to his entrance into such forces) for the three most recent calendar years divided by that part of his total payroll, with respect to which contributions have been paid for the three most recent calendar years during the whole of which, respectively, such employer has been in business. This provision does not authorize cash refunds. Any adjustments required hereunder shall be only by credit certificates.

B. The employee's benefit wages shall be determined as follows:

(1) When, in any benefit year, an employee was first paid benefits after December 31, 1937, and before July 1, 1943, for total or partial unemployment, his wages for employment after December 1, 1936, during the then base period as defined for such benefit year by the Alabama Unemployment Compensation Law in effect with respect to such benefit year and with respect to which benefits were paid, shall be the employee's (ee's) benefit wages.

(2) When, in any benefit year during which an employee has not been paid any benefits prior to July 1, 1943, such employee is paid benefits after June 30, 1943, for the second compensable week of total or partial unemployment, his wages during his base period shall be

employee's benefit wages; except that wages paid to an employee during his base period for part-time employment by an employer who continues to give the employee employment to the same extent, while he is receiving benefits as he did during his base period, shall not be determined to be employee's benefit wages. The employer shall establish the continuation of work to the satisfaction of the director by submitting such information as the director may require within four days after the date of notification or mailing of notice by the director that the employee has first filed a claim for benefits.

(3) As to any employee who is a "maritime worker" wages of such employee during a base period shall be multiplied by a fraction, the numerator of which is his average quarterly earnings in his base period and the denominator of which is his highest of any quarter in his base period. No wages in excess of \$3,000 paid to an employee in his base period by any one employer shall be deemed benefit wages.

(4) When in the determination of an employee's benefit wages, wages that have been included once in an employee's benefit wages for one benefit year or in an employee's wages for one base period such wages shall not thereafter be included again in his benefit wages for any other benefit year or in his wages for any other base period respectively.

In computing an employee's benefit wages under paragraphs 2, 3, and 4 of this subsection, no wages in excess of \$3,000 paid to him in his base period by any one employer shall be deemed benefit wages. It is the intent of this provision that no one employer be charged with benefit wages in excess of \$3,000 because of the receipt of benefits in a benefit year by one of his workers or former workers.

C. (1) For employers who qualify for a rate determination under subsection A (1) or (2) of this section employer's benefit wages for each and every calendar year shall be the total of the benefit wages received from him by all of his employees or former employees who were paid their second benefit payment of a given benefit year in such calendar year.

(2) Subsequent to March 31, 1955, for employers who qualify for a rate determination under subsection A(3) of this section, employer's benefit wages shall be the total of the benefit wages received from him by all of his employees or former employees who were paid their second benefit payment for a given benefit year in a period of at least four but not more than twelve-consecutive-calendar quarters ending on March 31, June 30 or September 30, as the case may be.

(3) The director shall analyze the benefit payments made in and the employee and employer benefit wages for the calendar years 1938, 1939, and 1940 and for each calendar year thereafter and determine each employer's benefit wages for all such calendar years respectively.

(4) Notwithstanding any inconsistent provisions of this chapter, if after the last day of any claimant's benefit year but within the thirty days next following thereafter, an employer for whom benefit wage charges were made as a consequence of such claimant's receipt of benefits alleges that he had reemployed such claimant within the claimant's benefit year, and the director finds that such employee received in benefits a total amount aggregating not more than twenty-five per cent of the maximum benefit payments to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with seventy-five per cent of the benefit wages previously charged against him relating to such claimant's previous employment; or if the director finds that such employee received in benefits an amount aggregating more than twenty-five per cent but not more than fifty per cent of the maximum benefits to which he was entitled within such benefit year, because of such reemployment, the

employer's benefit wage record shall be credited with fifty per cent of the benefit wages previously charged against him relating to such claimant's previous employment; or if the director finds that such employee received in benefits a total amount aggregating more than fifty per cent but not more than seventy-five per cent of the maximum benefits to which he was entitled within such benefit year, because of such reemployment, the employer's benefit wage record shall be credited with twenty-five per cent of the benefit wages previously charged against him relating to such claimant's previous employment. Provided, however, that such credits shall be made for the calendar year, or for employers qualifying for rate determination under the provisions of section 204 A (2) hereof for the calendar quarter, in which the finding is made by the director and no attempt shall be made to relate such credits to the period in which the rehire occurred; "reemployment" meaning performing services for remuneration.

(5) The director shall after the close of each calendar quarter furnish each employer with a statement of the wages of his workers, or former workers, which became his benefit wages in that calendar quarter, together with the names of such workers, or former workers, and such statement, in the absence of an application for a revision thereof within ninety days of the mailing of such statement to the employer's last known address, shall be conclusive and final upon the employer for all purposes and in all proceedings whatsoever. Such application for revision shall be in the form and manner prescribed by regulation of the director. Upon receipt of within the time allowed, an application for revision of such statement, the director shall allow such application in whole or in part, or shall deny such application and shall serve notice upon the employer of such decision. Such decision of the director shall be final and conclusive on the employer at the expiration of thirty days from the date of service of such notice unless the employer shall within the said thirty-day period file with the director a written protest and a petition for hearing, specifying his objections thereto. Upon receipt of such petition the director shall fix a time and place for a hearing and shall notify the employer thereof. At any hearing held as herein provided, the decision of the director shall be prima facie correct, and the burden shall be upon the protesting employer to prove it is incorrect. No employer shall have the right to object to the benefit wages with respect to any worker as shown on such statement unless he shall first show that such benefit wages arose as a result of benefits paid to such worker in accordance with a determination, or redetermination to which such employer was a party entitled to notice thereof, as provided by Article 5 of this chapter, and shall further show that he was not notified of such determination or redetermination in accordance with the requirements of said Article 5 of this chapter. Nothing herein contained shall affect the right of any employer at such hearing to object to such statement of benefit wages on the ground that it is incorrect by reason of a clerical error made by the director or any of his employees. The employer shall be promptly notified by mail of the director's decision. Such decision shall be final and conclusive unless an appeal is taken therefrom in the manner and within the time prescribed in paragraph H of this section.

Nothing herein contained shall be construed as limiting or affecting in any manner the right and authority of the director to remove benefit wage charges from any employer's account upon discovering or being aware of any such employer's workers or former workers having drawn benefits by reason of false representations of their earnings while filing claims for benefits.

Nothing herein contained shall be construed to authorize, permit, or require credits to an employer's benefit wage record of employer benefit wages for any calendar year prior to January 1, 1949, it being

the intention of the Legislature to make this part of the law relative to crediting employer wage records effective only as to wage charges made to employer's wage records on and after January 1, 1949.

D. (1) The benefit wage percentage of each employer who qualifies for rate determination under subsection A(1) of this section shall be a percentage determined by dividing the total of his benefit wages for the three most recent preceding calendar years by that part of his total taxable payroll for the same three years, with respect to which contributions have been paid on or before January 31 next following such three-calendar-year period.

(2) The benefit wage percentage of each employer who qualifies for a rate determination under subsection A(2) of this section shall be a percentage determined by dividing the total of his benefit wages for a period of not less than one but less than the three most recent preceding calendar years by that part of his total taxable payroll for the same period, with respect to which contributions have been paid on or before January 31 next following such period.

(3) The benefit wage percentage of each employer who qualifies for a rate determination under subsection A(3) of this section shall be a percentage determined by dividing the total of his benefit wages for the period throughout which he was chargeable with benefit wages, such period not to be less than four or more than twelve-consecutive calendar quarters ending on March 31, June 30 or September 30, as the case may be, by that part of his total taxable payroll for the same period with respect to which contributions have been paid on or before the last day of the month following such period throughout which he was chargeable with benefit wages.

E. From the total amount of benefits paid from the unemployment compensation trust fund during each calendar year there shall be subtracted all amounts credited to the fund during each such calendar year other than employer's and employees' contributions, and money credited to this state's account in the unemployment compensation trust fund pursuant to section 903 of the Social Security Act, as amended, and the remainder shall be termed the "amount required for the fund" for each such calendar year. The "state experience factor" for each such calendar shall be a percentage determined by dividing the total of the amounts required for the fund for the three most recent calendar years by the state-wide total of benefit wages of all employers for the three most recent calendar years and by adjusting to the next highest multiple of one per cent (1.0%). The state experience factor shall be determined annually prior to the 15th day of March of the calendar year for which the determination is made.

F. The contribution rates for each employer and his employees as provided in subsection A, paragraphs (1), (2) and (3) of this section shall be determined by the director and the director shall notify each employer of the state experience factor, his benefit wage percentage, and his contribution rate within thirty days after the effective date of **such rate, and of his employees' contribution rate not less than five days prior to the effective date of such rate. Except as provided in paragraph 4 subsection G of this section such employer contribution rate shall be determined from the first 10 columns of the following table and shall be the rate, as indicated for employer, appearing at the bottom of the lowest number column in which there appears, on the same horizontal line in which is found in the column headed "state experience factor," the state experience factor for the then calendar year, a percentage equal to or in excess of such employer's benefit wage percentage for the then calendar year. The maximum employer's contribution rate under this subsection shall be two and seven tenths per cent (2.7%), and the contribution rate of the employees of the said employer shall be one-fourth of one per cent (0.25%).**

State Experience Factor	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10	Col. 11	Col. 12	Col. 13
	Employer's Benefit Wage Percentage					Employer's Benefit Wage Percentage							
1%	50.00%	75.00%	100.00%	125.00%	150.00%	175.00%	200.00%	225.00%	250.00%	270.00%	300.00%	330.00%	Benefit Wage Percentage in Excess of Col. 12 of This Table
2	25.00	37.50	50.00	62.50	75.00	87.50	100.00	112.50	125.00	135.00	150.00	165.00	
3	16.75	25.00	33.25	41.50	50.00	58.25	66.75	75.00	83.25	90.00	100.00	110.00	
4	12.50	18.75	25.00	31.25	37.50	43.75	50.00	56.25	62.50	69.50	75.00	82.50	
5	10.00	15.00	20.00	25.00	30.00	35.00	40.00	45.00	50.00	54.00	60.00	66.00	
6	8.25	12.50	16.75	20.75	25.00	29.25	33.25	37.50	41.75	45.00	50.00	55.00	
7	7.25	10.75	14.25	17.75	21.50	25.00	28.50	32.00	35.75	38.50	42.75	47.00	
8	6.25	9.50	12.50	15.75	18.75	22.00	25.00	28.00	31.25	33.75	37.50	41.25	
9	5.50	8.25	11.00	14.00	16.75	19.50	22.25	25.00	27.75	30.00	33.25	36.75	
10	5.00	7.50	10.00	12.50	15.00	17.50	20.00	22.50	25.00	27.00	30.00	33.00	
11	4.50	6.75	9.00	11.25	13.75	16.00	18.25	20.50	22.75	24.50	27.25	30.00	
12	4.25	6.25	8.25	10.50	12.50	14.50	16.75	18.75	20.75	22.50	25.00	27.50	
13	3.75	5.75	7.75	9.50	11.50	13.50	15.50	17.25	19.25	20.75	23.00	25.50	
14	3.50	5.25	7.00	9.00	10.75	12.50	14.25	16.00	17.75	19.25	21.50	23.50	
15	3.25	5.00	6.75	8.25	10.00	11.75	13.25	15.00	16.75	18.00	20.00	22.00	
16	3.25	4.75	6.25	7.75	9.25	11.00	12.50	14.00	15.75	16.75	18.75	20.50	
17	3.00	4.50	6.00	7.25	8.75	10.25	11.75	13.25	14.75	16.00	17.75	19.50	
18	2.75	4.25	5.50	7.00	8.25	9.75	11.00	12.50	14.00	15.00	16.75	18.25	
19	2.75	4.00	5.25	6.50	8.00	9.25	10.50	11.75	13.00	14.25	15.75	17.25	
20	2.50	3.75	5.00	6.25	7.50	8.75	10.00	11.25	12.50	13.50	15.00	16.50	
21	2.50	3.50	4.75	6.00	7.00	8.25	9.50	10.75	12.00	12.75	14.25	15.75	
22	2.25	3.50	4.50	5.75	6.75	8.00	9.00	10.25	11.25	12.25	13.75	15.00	
23	2.25	3.25	4.25	5.50	6.50	7.50	8.75	9.75	10.75	11.75	13.00	14.25	
24	2.00	3.25	4.25	5.25	6.25	7.25	8.25	9.50	10.50	11.25	12.50	13.75	
25	2.00	3.00	4.00	5.00	6.00	7.00	8.00	9.00	10.00	10.75	12.00	13.25	
26	2.00	3.00	3.75	4.75	5.75	6.75	7.75	8.75	9.50	10.50	11.50	12.75	
27	1.75	2.75	3.75	4.75	5.50	6.50	7.50	8.25	9.25	10.00	11.00	12.25	
28	1.75	2.75	3.50	4.50	5.25	6.25	7.00	8.00	9.00	9.75	10.75	11.75	
29	1.75	2.50	3.50	4.25	5.25	6.00	7.00	7.75	8.50	9.25	10.25	11.25	
30 or more	1.75	2.50	3.25	4.25	5.00	5.75	6.75	7.50	8.25	9.00	10.00	11.00	
Employer's Contribution Rate	.5	.75	1.00	1.25	1.50	1.75	2.00	2.25	2.5	2.7	3.0	3.3	3.6

REGULAR SESSION

1331

G. Contribution rates for each employer and his employees determined pursuant to subsection F of this section shall nevertheless be subject to increase as hereinafter provided.

(1) The "benefits pay roll ratio" of the state for each calendar year shall be determined by dividing the total of benefits paid from the unemployment compensation fund within such year by the statewide total of taxable pay rolls (with respect to which contributions have been paid on or before January 31 of such year) of all employers for the calendar year immediately preceding the calendar year within which such benefits have been paid and by adjusting the quotient to the nearest multiple of one thousandth.

(2) The "minimum normal amount" of the unemployment compensation fund for each calendar year shall be one and one-half times the amount determined by multiplying the highest state-wide total of taxable pay rolls (with respect to which contributions have been paid on or before January 31 of such year) of all employers for any of the three most recent preceding calendar years by the highest benefits pay roll ratio for any of the ten most recent preceding calendar years.

(3) Whenever at the end of any calendar year that the fund is greater than the minimum normal amount for the calendar year immediately succeeding such three-year period, the director shall on or before March 15 of said immediately succeeding calendar year so declare, and effective for the twelve-month period beginning with the 1st day of April of said immediately succeeding calendar year the contribution rates for each employer and his employees shall be determined by the director as provided in subsection F of this section on the basis of each employer's benefit wage percentage for the said immediately succeeding calendar year and the state experience factor as determined for the said immediately succeeding calendar year as provided in subsection E of this section.

(4) If at the end of any calendar year after December 31, 1940, the fund is less than the minimum normal amount for the calendar year immediately succeeding such three-year period, the director shall on or before March 15 of said immediately succeeding calendar year so declare. To be effective for the twelve-month period beginning with the 1st day of April of said immediately succeeding calendar year, the contribution rates for each employer shall be determined by the director from the table in subsection F of this section on the basis of each employer's benefit wage percentage for the said immediately succeeding calendar year and an increased state experience factor to be computed by multiplying the state experience factor for the said immediately succeeding calendar year by two. In computing rates under this subsection all 13 columns in the table in subsection F of this section shall be used. If no percentage equal to or in excess of such benefit wage percentage appears on said horizontal line, the employer's contribution rate shall be three and six-tenths per cent (3.6%). The employees' tax rate for employees of all employers whose employer tax rate is computed under this paragraph shall, for the same period of time, be 0.5% (one-half of one per cent).

(5) Any amount credited to this State's account under section 903 of the Social Security Act, as amended, which has been appropriated for expenses of administration, whether or not withdrawn from the trust fund, shall be excluded from the trust fund balance in determining whether or not such fund is greater or less than the minimum normal amount for a calendar year.

(6) The director shall notify each employer of such declaration and change in state experience factor and of his benefit wage percentage and

his contribution rate within thirty days after each such 1st day of April; and of his employees' contribution rate not less than five days before each such 1st day of April.

H. Any employer may apply to the director for and shall be entitled to a review as to the determination of his benefit wage percentage, his contribution rate as fixed by his benefit wage percentage, and the amount of wages which, as to such employer, will be taxable at such rate, provided such application is filed within 30 days of the date of the mailing by the director to the employer of the notice of such determination. Pending such review such employer shall withhold and transmit employee contributions and make all contribution payments otherwise required by this chapter at contribution rates fixed by the determination sought to be reviewed and resulting overpayments or underpayments of contributions by the employer shall, upon any redetermination, be adjusted or refunded pursuant to Section 243 of this title. Any employer may within 30 days after the date of mailing by the director to such employer of notice of the ruling of the director upon such application for review appeal such ruling to the circuit court of any county wherein the employer is engaged in doing business, upon such terms and upon giving such security for costs as the court may upon application prescribe. Trial in that court shall be de novo with respect to his benefit wage percentage. Any redetermination of benefit wage percentage, whether by the director or the court on appeal, shall not be effective as to an employee contribution rate before the calendar quarter first beginning after such redetermination.

I. For the purpose of this section, an employer's benefit wages and that part of his taxable payroll with respect to which contributions have been paid, shall be deemed benefit wages and taxable payrolls of a successor employer and shall be taken into account in determining the contribution rate of such successor employer provided in subsection F of this section, if such successor succeeds the employer in any of the manners set out in subsection D, Section 185 of this chapter; provided further that an employer subject to this chapter who becomes such in any of the manners set out in subsection E, Section 185 of this chapter shall have that portion of his predecessor's benefit wages and that part of his predecessor's total taxable payroll with respect to which contributions have been paid which correspond to the segregable portion of the business assets and payroll thereof, acquired from his predecessor deemed to be his benefit wages and his payroll and such shall be taken into account in determining his and his employee's rates, as provided in subsection F of this section."

Section 2. Section 207, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

§ 207. Weekly benefit amount.—An individual's weekly benefit amount shall be an amount equal to 1/26th of the total wages for insured work paid to him during that quarter of his base period in which such total wages were the highest, except that:

A. If the amount thus derived is not a multiple of \$1.00, it shall be rounded to the nearest multiple of \$1.00.

B. If the amount thus derived is more than \$37.50, the weekly benefit amount shall be \$38.00.

C. If the amount thus derived is less than \$11.51, the weekly benefit amount shall be \$12.00, provided that, during that quarter of his base period in which the wages paid to him for insured work were the highest, the individual was paid wages of \$200.00 or more for insured work on other than a part-time basis.

Section 3. Section 212, Title 26, Code of Alabama 1940, as last amended, is hereby repealed.

Section 4. Section 213, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

§ 213. Benefit eligibility conditions.—An unemployed individual shall be eligible to receive benefits with respect to any week only if the director finds that—

A. He has made a claim for benefits with respect to such week in accordance with such regulations as the director may prescribe.

B. He has registered for work at, and thereafter continued to report at, an employment office in accordance with such regulations as the director may prescribe, except that the director may, by regulation waive or alter either or both of the requirements of this section as to individuals attached to regular jobs and as to such other type of cases or situations with respect to which he finds that compliance with such requirements would be oppressive, or would be inconsistent with purposes of this chapter.

C. He is physically and mentally able to perform work of a character which he is qualified to perform by past experience or training, and he is available for such work either at a locality at which he earned wages for insured work during his base period or at a locality where it may reasonably be expected that such work may be available.

D. He has been totally unemployed for a waiting period of one week or partially unemployed for a waiting period of 2 weeks except that one week of partial unemployment shall complete the waiting period requirement if the next following week of unemployment is a week of total unemployment. No week shall be counted as a week of unemployment for the purpose of this subsection:

(1) If benefits have been paid with respect thereto.

(2) Unless the individual was otherwise eligible for benefits with respect thereto as provided in articles 4 and 5 of this chapter.

(3) Unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits, provided that this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment.

E. He has during his base period been paid wages for insured work of at least \$468 and in addition been paid wages for insured work equal to or exceeding 1½ times, the total of the wages for insured work paid to him in that quarter of such base period in which such total wages were the highest, provided, however, that no otherwise eligible individual who shall have received benefits in a preceding benefit year shall be eligible to receive benefits in a succeeding benefit year unless and until such otherwise eligible individual, subsequent to the beginning date of the preceding benefit year, shall have worked in insured employment for which work he earned wages equal to at least 8 times the weekly benefit amount established for such individual in the preceding benefit year.

Section 5. Section 214, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

§ 214. Disqualification for benefits.—An individual shall be disqualified for total or partial unemployment.

A. For any week in which his total or partial unemployment is directly due to a labor dispute still in active progress in the establishment in which he is or was last employed; for the purposes of this section only, the term "labor dispute" includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee. This definition shall not relate to a dispute between an individual worker and his employer.

B. If he has left his employment voluntarily without good cause connected with such work. But he shall not be disqualified if:

1. He was forced to leave work because he was sick or disabled, other than because of pregnancy, notified his employer of the fact as soon as it was reasonably practicable so to do and returned to that employer and offered himself for work as soon as he was again able to work; provided, however, this exception shall not apply if the employer had an established leave-of-absence policy covering sickness or disability and (a) the individual fails to comply with same as soon as it is reasonably practicable so to do, or (b) upon the expiration of a leave-of-absence he shall fail to return to said employer and offer himself for work if he shall then be able to work, or, if he is not then able to work, he fails to so notify his employer of that fact and request an extension of his said leave-of-absence as soon as it is reasonably practicable so to do.

In case of doubt that an individual was sick or disabled, or as to the duration of any such sickness or disability, the director may, or if the employer requests it, the director shall require a doctor's certificate to establish the fact or facts that is or are in doubt.

An established leave-of-absence policy shall be any leave-of-absence policy covering sickness and disability communicated to the employee by the customary means used by the employer for communicating with his employees.

Provided, however, that nothing herein shall be construed or interpreted as authorizing the payment of benefits to any person during or for unemployment due to sickness or disability.

2. He left his employment and immediately took another job and thereafter was employed on said other job for not less than ten weeks, or, he left his employment and immediately returned to work with his regular employer or to employment in which he had prior existing statutory or contractual seniority or recall rights. For the purpose of this subsection another job shall not include self-employment. When this exception is applied, wages paid for that period of employment immediately preceding the separation to which the exception is applied which have not been heretofore determined to be benefit wages, shall not be determined to be employer's or employee's benefit wages for the purpose of the experience rating provisions of Section 204 of this Title. Except this exception shall not apply if he quits his new employment voluntarily without good cause connected with his work.

C. 1. If he was discharged or removed from his work for a dishonest or criminal act committed in connection with his work or for sabotage or an act endangering the safety of others, or for actual or threatened deliberate misconduct after written warning to the individual.

2. For the week in which he has been discharged for misconduct connected with his work (other than acts mentioned in subsection (1))

of this subdivision) and for not less than three nor more than the six next following weeks as determined by the director in each case according to the seriousness of the conduct.

3. For the week or weeks (not to exceed four weeks) in which or for which he has been suspended as a disciplinary measure connected with his work, or for misconduct connected with his work.

D. 1. When an individual is disqualified for benefits under subsection B or C (1) of this section, he shall not thereafter be entitled to any benefits under this Chapter on account of wages paid to him for the period of employment by the employer by whom he was employed when the disqualifying event occurred, and, provided further, that for the purposes of the experience rating provisions of Section 204 of this Title no portion of such wages shall be determined to be employee's or employer's benefit wages for any benefit years or base period.

2. When an individual is disqualified for benefits under subsections C (2) and C (3) of this section the total amount of benefits to which he may otherwise be entitled as determined in accordance with section 209 of this title shall be reduced by an amount equal to the product of the number of weeks for which he shall be disqualified under subsections C (2) and C (3) of this section multiplied by his weekly benefit amount.

E. If he fails, without good cause, either to apply for or to accept available suitable work or to return to his customary self-employment when so directed by the director or when he is notified of suitable work or it is offered him through a state employment office or the United States Employment Service, or directly or by written notice or offer to any such employment office or employment service by an employer by whom the individual was formerly employed. Such disqualification shall be for a period of not less than six nor more than ten weeks from the date of said failure.

This disqualification shall not apply unless the individual has an established benefit year, or is seeking to establish one, at the time he fails without good cause, to do any of the acts set out in this subsection.

1. In determining whether or not any work is suitable for an individual, the director shall consider the degree of risk involved to his health, safety, and morals, his physical fitness, and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence; provided that no work or employment shall be deemed unsuitable because of its distance from the individual's residence, if such work or employment is in the same or substantially the same locality as was his last previous regular place of employment and if the employee left such employment voluntarily without good cause connected with such employment.

2. Notwithstanding any other provisions of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(a) If the position offered is vacant due directly to a strike, lockout, or other labor dispute;

(b) If the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

(c) If as a condition of being employed the individual would be required to join a company union, or to resign from or refrain from joining any bona fide labor organization.

F. For any week with respect to which he is receiving or has received remuneration in the form of wages in lieu of notice, or a dismissal or separation allowance.

G. For any week with respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States; provided, that if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits this disqualification shall not apply.

H. For any week with respect to which or a part of which he has received or is seeking a pension payment pursuant to an employment contract or agreement, provided that if it is finally determined he is not entitled to such pension payment this disqualification shall not apply; and provided further, that no claimant shall be disqualified from receiving benefits by virtue of the provisions of this subsection when his benefits are based entirely on wages earned from employment other than that from which he retired. If the retirement pay, the receipt of which is disqualifying under this subsection, is less than the weekly benefit which would otherwise be due under this chapter, he shall be entitled to receive, if otherwise eligible, weekly benefits reduced by the amount of such retirement pay.

I. For any week with respect to which or a part of which he has received or is seeking compensation for temporary disability under any workmen's compensation law; provided that if it is finally determined he is not entitled to such compensation, this disqualification shall not apply, and provided further that if such compensation is less than the benefits which would otherwise be due under this chapter, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such payment.

J. For any week that such individual is engaged or employed by the works progress administration, the national youth administration, or any federal or state unit, agency or instrumentality in charge of public works, assistance through public employment, or work relief.

K. For any week in which he is self-employed and each week thereafter until he shall establish that he is no longer self-employed.

L. For the week in which she left employment because of pregnancy or was required by her employer to leave employment because of pregnancy and for each week thereafter until:

1. The week immediately following the expiration of a leave-of-absence granted to her by her employer on account of pregnancy in accordance with an established leave-of-absence policy, the duration of which leave was set in accordance with her request or in accordance with a collective bargaining agreement;

2. The eleventh week immediately following termination of such pregnancy if no such leave-of-absence was granted to her.

Provided further that if her employer had an established leave-of-absence policy covering pregnancy she shall be disqualified under subsection B, of this section if she (a) fails to comply with such leave-of-absence policy as soon as reasonably practicable so to do or, (b) upon expiration of a leave-of-absence she fails to return to said employer and offer herself for work, if she shall then be able to work, or, if not then able to work, she fails to so notify her employer and request an extension of her said leave-of-absence as soon as reasonably practicable so to do.

Provided further that if her employer had no established leave-of-absence policy covering pregnancy and she left employment of her volition on account of pregnancy without being required by her employer to do so, she shall be disqualified under subsection B. of this section if she failed to notify her employer of said reason for leaving as soon as it was reasonably practicable so to do and failed to return to that employer and offer herself for work as soon as she was again able to work following termination of pregnancy.

Section 6. Section 224, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"§ 224. Period and termination of employer's coverage.—Except as otherwise provided in subsection B of this section, any employing unit which is or becomes an employer subject to this chapter within any calendar year, shall be an employer subject thereto during the whole of such calendar year.

Except as otherwise provided in Section 225 of this chapter, an employer shall cease to be an employer subject to this chapter—

A. As of the first day of January of any calendar year if he files with the director prior to the first day of April of such year, a written application for termination of coverage and he has not on each of some twenty days, each day being in a different calendar week in the last completed calendar year employed four or more individuals in employment subject to this chapter.

B. (1) As of the date of transfer of his organization, trade or business, or substantially all the assets thereof to a successor as provided by subsection D of section 185 of this chapter, provided he shall have ceased to employ any individual or individuals in employment subject to this chapter.

(2) If, immediately subsequent to the date of transfer of his organization, trade or business, or substantially all the assets thereof to a successor as provided by subsection D of section 185 of this chapter, he continues to employ any individual or individuals in employment subject to this chapter, he shall cease to be an employer subject to this chapter as of the first day of January next following the date of such transfer, provided he files with the director prior to the first day of April next following such first day of January, a written application for termination of coverage and he has not, subsequent to the date of such transfer and prior to such first day of January, employed four or more individuals in employment subject to this chapter on each of some twenty days, each day being in a different calendar week.

C. As of the first day of January next following two consecutive calendar years ending on the preceding thirty-first day of December during which he employed no individuals in employment subject to this chapter.

When an employer's coverage is terminated under the provisions of this section, such employer shall not thereafter become subject to the provisions of this chapter on the basis of any employment by such employer prior to the effective date of such termination."

Section 7. Section 225, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"§225. Employer's election.—Any employing unit not otherwise subject to this chapter, which files with the director his or its written election to become an employer subject hereto for not less than two calendar years, shall with the written approval of such election by the

director, become an employer subject hereto to the same extent as other employers, as of the date stated in such application, except that if during the calendar year in which such election is filed, the employer has four or more employees in employment subject to this chapter on each of some twenty days, each day being in a different calendar week in that year, he or it shall be liable for employer contributions based on all wages paid by him or it since January 1st of that calendar year. Such employer, except as provided in subsection B of section 224 of this chapter, shall cease to be subject to this chapter as of January 1st of any calendar year subsequent to such two calendar years only if he or it files with the director, prior to the first day of April of such year, a written application for termination of coverage, and he or it has not on each of some twenty days, each day being in a different calendar week in the last completed calendar year, employed four or more individuals in employment subject to this chapter."

Section 8. Section 243, Title 26, Code of Alabama 1940, as last amended, is hereby amended to read as follows:

"§ 243. Refunds.—If not later than four years after the date on which any contributions, penalties, or interest became due an employer who has paid such contributions, penalties, or interest thereon shall make application for an adjustment thereof in connection with subsequent contribution payments, or for a refund thereof because such adjustment cannot be made, and the director shall determine that such contributions, penalties or interest, or any portion thereof was erroneously collected, the director shall allow such employer to make an adjustment thereof in connection with subsequent contribution liability, or if such adjustment cannot be made the director may refund such contributions, interest and penalties from the clearing account. Any refund of interest and/or penalties, which have been transferred to the Special Employment Security Administration Fund, shall be made from the Special Employment Security Administration Fund, provided for in section 248 of this chapter. If the director shall deny, in whole or in part, any such application, the applicant may within sixty days after notice of such action, to be given by the director by mail, appeal to the circuit court of the county wherein is the principal place of business of the applicant, and the trial in that court shall be without a jury, and the court shall render such judgment as the facts and circumstances warrant. For like cause and within four years, adjustment or refund may be made on the director's own initiative.

The amount of any adjustments or refunds made under this section shall be reduced by the sum of any benefits that shall have been paid based on the wages on which contributions are to be refunded. Such reduction shall be made first from the employee contributions withheld from wages of those employees to whom such benefits were paid and the remainder from the employer contributions; provided, however, that no such reduction in the amount of any adjustment or refund under this section shall be made if such contributions were paid under protest and such benefits were paid prior to final adjudication of such protest.

Before any adjustment or refund may be made under the provisions of this section, the employer must conform to applicable rules and regulations of the director with respect to the refund to the employees entitled thereto of any moneys deducted by the employer in accordance with the provisions of this chapter."

Section 9. All laws and parts of laws in conflict herewith are hereby repealed.

Section 10. Section 2 and Section 4 of this Act shall apply only to individuals who establish a benefit year after the effective date of this

Act. Section 5 of this Act shall apply to claims filed after the effective date of this Act.

Section 11. This Act to take effect upon its passage and approval by the Governor or its otherwise becoming law.

The vote being: Yeas 60; Nays 4.

And said Bill:

H. 685. To amend Section 204, Section 207, Section 213, Section 214, Section 224, Section 225 and Section 243, Title 26, Code of Alabama 1940, as last amended and to repeal Section 212, Title 26, Code of Alabama 1940, all relating to unemployment compensation.

As amended by the Report of the Committee on Conference was again read at length and passed by a vote of: Yeas 69; Nays 0.

And said bill, together with the Report of the Committee on Conference is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

CONFERENCE REPORT

On motion of Mr. Smith, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the Senate amendment to the Bill, H. B. 685, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	Horton	Robison (Montgomery)
Adams	Dumas	Mathews	Robison (Pickens)
Allen	Eddins	McDow	Shelton
Bentley	Evans	Metcalfe	Smith
Brauman	Gilchrist	Montgomery	Taylor
Carter	Givhan	Oden	Tyson
Clark	Hawkins	Reynolds	

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs.: Albee, Bailes, Baker (Madison), Barnett, Bassett, Boston, Brewer, Brown (Tuscaloosa), Burnham, Campbell (Tuscaloosa), Cantrell, Carr, Casey, Cates, Collins (Jefferson), Collins (Mobile), Cooper, Crawford, Daniel, Dominick, Downing, Drake, Edington, Edwards (Escambia), Edwards (Lowndes), Engel, Etheredge, Faulk, Fite, Glass, Goodwyn, Grouby, Hankins, Hannah, Harper, Hawkins, Heflin, Hogan, Ingram, Jones (Covington), Jones (Monroe), Little, Locke, McCorquodale, McDermott, Meeks, Merrill, Moore, Morrow, Nabors, NeSmith, Nettles, Owen, Paulk, Pruitt, Rast, Salter, Sessions, Slate, Smith, Snell, Steagall, Sullivan, Teel, Thomas, Tuck, Turner (Crenshaw), Turner (Limestone), Vacca, Wood, Young:

H. J. R. 137. WHEREAS the late Ed E. Reid was well-known, highly respected, and beloved by a multitude of friends, acquaintances,

and associates throughout the State of Alabama and in the nation's capital; and

WHEREAS Mr. Reid's untimely death on July 26, 1965, has deprived Alabama of one of the State's most able and dedicated public figures. Born in Georgiana and educated at the University of Alabama and the Birmingham Law School, Mr. Reid worked for several years as a journalist before coming to Montgomery in 1935 to serve as Legislative liaison man during the administration of Governor Bibb Graves; and

WHEREAS shortly thereafter Mr. Reid found his true forte when he became associated with the League of Municipalities, of which he was Executive Director at the time of his death. Through his keen foresight, wise leadership, and exceptional management ability, that organization grew more than ten-fold in membership and became an effective instrument in improving municipal management and working conditions for municipal employees in cities throughout the State; and

WHEREAS Mr. Reid possessed a personal warmth, an enthusiasm for life, and an interest in others which made his company exceedingly pleasant and sought-after. His marvelous knowledge and memory of the men and events in Alabama politics for the past 30 years qualified him as an expert par excellence on that subject, and his interesting anecdotes enlivened any conversation or gathering and will be sorely missed; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deems it appropriate that the State of Alabama should pay tribute to Mr. Ed E. Reid in a manner commensurate to his many years of valuable service to the State, its instrumentalities, and its citizens.

BE IT FURTHER RESOLVED That the Alabama Trade School and Junior College Authority and the State Board of Education are hereby authorized to designate the newly-established State vocational trade school located in Conecuh County at Evergreen to be known as the "Ed E. Reid Trade School" in honor of that esteemed citizen who knew so well the value of education and training and encouraged development of facilities therefor in this State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Metcalf, the Rules were suspended and the Resolution, H. J. R. 137, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Robison (Pickens) (with amendment):

S. 573. To authorize defendants in actions on contracts or in tort in which the venue is improperly laid to recover punitive damages against any plaintiff's attorney who files such suit with knowledge beforehand of facts making such venue improper.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hawkins:

S. 545. To authorize and empower the Attorney General to have an official seal; to provide for the custody, care, use and control of said seal, requiring it to be affixed to all opinions of the Attorney General and excepting certain documents and papers from the requirement of having said seal affixed thereto; to prohibit the unauthorized use of said seal and prescribing penalties for such unauthorized use; to prohibit the counterfeiting or simulation of said seal, and prescribing penalties for such counterfeiting or simulation; and to repeal conflicting laws.

By Mr. Smith:

S. 70. To Amend Title 51, Section 199 of the 1940 Code of Alabama:

By Mr. Holladay et al:

H. 573. Relating to an amendment to the Law of the State of Alabama providing that the period of redemption shall be one year from a sale of real estate under decree of court, power of sale, deed of trust, or as otherwise provided.

By Mr. McDow:

S. 492. To provide for the Public Health; to amend Title 22, Section 95, Code of Alabama 1940, as last amended by Act 170, Acts of Alabama, 1949 Regular Session, Page 197, so as to eliminate the requirement that pre-nuptial certificates required of applicants for a marriage license remain permanently attached to the marriage license.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Collins (Jefferson) et al (with amendment):

H. 446. To amend and revise Section 41 (d) (1), (2) and (3) of the 1940 Code of Alabama as amended, all of which refer to special restrictions on lamps on motor vehicles.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Callahan, Campbell (Tuscaloosa) and Brown (Tuscaloosa):

H. 970. To amend Section 509 sub-section 23 of Title 52 of the Code of Alabama of 1940 as recompiled (Pertaining to State Fire College Advisory Committee).

By Mr. Blanton:

H. 605. To regulate, and provide, in criminal and quasi-criminal cases, for an additional and cumulative mode of procedure in the bringing of writs of error coram nobis, and to dispense with seeking leave of an appellate court to petition for said writ, except in cases wherein the death penalty has been imposed and sentence affirmed.

By Messrs. Rogers, Jones (Monroe) and Merrill:

H. 134. To amend Code of Alabama 1940, Title 47, Section 196, relating to partition proceedings in probate court.

By Messrs. Rogers, Jones (Monroe) and Merrill:

H. 305. To provide for the service of process on necessary parties in certain partition proceedings in equity court.

By Mr. Bailes et al:

H. 100. To amend further Code of Alabama 1940, Title 17, Section 145, which relates to elections.

By Mr. Jones (Covington):

H. 45. To amend Act No. 138, H. 7, Regular Session 1963 (Acts 1963, p. 323) which provides that in equity suits the deposition of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375, H. 1006, Regular Session 1955 (Acts 1955, p. 901) so as to authorize and provide for the compelling of the persons to be examined to bring with him books, papers and documents in his possession or under his control in the manner prescribed by said Act 375 as amended; and to provide that the provisions of this Act shall apply to future suits and pending suits.

By Mr. Jones (Covington):

H. 46. To amend Act No. 375, H. 1006, Regular Session 1955 (Acts 1955, p. 901) entitled "An Act To provide for the taking of depositions of witnesses or parties upon oral examination for discovery of for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination," to provide a method of compelling the persons examined to bring with him books, papers and documents in his possession or power.

By Messrs. Brown (Jefferson) and Etheredge:

H. 792. To provide for and regulate procurement and production of evidence of circuit court records by subpoena duces tecum.

By Mr. Etheredge:

H. 622. To provide for the service of process in civil suits upon non-resident operators or nonresident owners of boats, ships, barges and other water craft which are operated, navigated or maintained in the state.

By Messrs. Camp, Callahan and Thomas:

H. 1077. To amend further Code of Alabama 1940, Title 45, Sections 259 and 265, relating to the liability of persons responsible for the care, support, and maintenance of inmates in state mental institutions.

By Messrs. Vacca, Brown (Jefferson) and Gilmore:

H. 642. To adopt the Vehicle Equipment Safety Compact for the State of Alabama to insure maximum vehicle safety in the State of Alabama and her sister states; to designate the director of public safety as a member of the Vehicle Equipment Safety Commission thereby created; to prescribe the procedure for adopting recommendations of the Commission; to implement the provisions of the compact; and repealing conflicting provisions.

By Mr. Cooper:

H. 824. To amend further Section 89 and Section 90 of Title 36, Code of Alabama (1940), as amended, which limits the size and weight limits of motor vehicles and loads, and prescribes exemptions therefrom.

By Mr. McDermott et al:

H. 834. To provide for appeals from judgments for contempt of court.

By Messrs. Perry and Rast:

H. 931. To amend Section 1 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, linen rental processing and storage facilities and so as to restore certain portions of said Section 1 inadvertently omitted therefrom by the most recent amendment thereof (Act No. 164 enacted at the 1964 Special Session), to restore certain other changes omitted by said amendment and to correct certain technical errors made by said amendment.

By Messrs. Holladay and NeSmith:

H. 786. Relating to evidence of service of process upon certain parties defendant; amending Section 202, Title 7, Code of Alabama 1940.

By Mr. Roberts:

S. 564. To declare the powers and duties of fiduciaries with respect to the distribution of property in kind in satisfaction of a pecuniary gift.

By Messrs. Brewer and Slate:

H. 688. To provide for service of process upon certain corporations.

By Mr. Goodwyn:

H. 670. To amend Section 289 of Title 14, Code of Alabama of 1940.

By Mr. Goodwyn:

H. 671. To amend Section 591, Title 51, Code of Alabama 1940.

By Messrs. Turnham and Powell:

H. 213. To further amend Section 2, 3, and 4 of Act No. 474, regular session, Acts of Alabama 1953, entitled "An Act to provide supernumerary circuit solicitors of the State of Alabama; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, duties, powers, authority, compensation, method of removal from office of such supernumerary circuit solicitors; to provide for filling vacancies created by a circuit solicitor becoming a supernumerary circuit solicitor; to provide for reimbursement to such supernumerary circuit solicitors their reasonable expenses incurred for traveling on official business in counties other than that of their residence, and to appropriate funds for the payment of compensation and expenses of such supernumerary circuit solicitors," (Acts of Alabama 1953, Vol. I, page 589).

Mr. Wilson, Chairman of the Standing Committee on Constitution, Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Engel and Brewer:

H. 1016. Proposing an amendment to the Constitution of Alabama relative to the designation and name of the office of circuit solicitor.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Casey et al:

H. 25. To provide for the RIGHT TO VOTE on the candidates for president and vice-president of the United States by a popular vote of the voters of Alabama; amending Code of Alabama 1940, Title 17, Sections 145, 222, 224, 225.

By Messrs. Gilchrist, Dumas, Smith, Roberts, Hawkins, Allen, McCain, James, Shelton, Tyson, Eddins Oden, Montgomery, Brannan, Taylor, McDow, Bentley, Carter, Evans, Hammond and Cooper:

S. 237. Proposing an amendment to the Constitution of Alabama, to prescribe a maximum rate applicable to the levy of a state sales or use tax.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Hester et al:

H. 609. To propose an amendment to the Constitution of Alabama relative to exemptions from the poll tax.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Carr:

H. 299. To propose an amendment to the Constitution of Alabama; establishing a game and fish fund in the State Treasury and requiring that certain monies be placed therein; to prohibit the diversion of any monies in said fund for any purposes other than the administration of the game and fish activities of the Department of Conservation and for the protection, propagation, preservation, investigation of game and fish and the public use of the game and fish resources of this State.

The above Bill was read a second time at length as required by the Constitution.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite (with substitute):

H. 390. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Slate and Moore (with amendment):

H. 874. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner (Limestone):

H. 823. To provide for a program for education in the field of library science; authorizing the use of funds available to the Alabama Public Library Service under the State Plan pursuant to the federal "Library Services and Construction Act," as amended, for awarding such grants.

By Mr. Fite:

H. 403. To make an appropriation to the Office of the Attorney General for the fiscal year ending September 30, 1965.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite (with substitute):

H. 401. To make an appropriation from the State Treasury for capital improvements.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

H. 398. To make an appropriation to the use of Choccolocco Creek Watershed Association.

By Messrs. Fite and Turnham:

H. 397. To provide for cooperation by the State of Alabama with other Southern States in nuclear development of the South, and making an appropriation for that purpose.

By Mr. Fite:

H. 396. To make an appropriation for the support of the Commission on Mental Illness of the Southern Regional Education Board.

By Mr. Fite:

H. 395. To make an appropriation for the support of the Council of State Governments.

By Mr. Fite:

H. 393. To amend Section 6 of Act No. 107 of the Regular Session of 1959, Acts of Alabama, 1959, Volume I, page 604.

By Mr. Mathews:

S. 533. To make a supplemental appropriation for the payment of salaries from the Alabama Special Educational Trust Fund.

By Mr. Mathews:

S. 166. To amend Section 11 of Act 278, of the First Extraordinary Session of 1965 (H. B. 182 First Extraordinary Session 1965), to provide for a scholarship program for medical education.

By Mr. Mathews:

S. 161. To amend Section 5 of Act 589, page 1285, Acts of Alabama 1963.

By Messrs. Turnham, Brewer and Vacca:

H. 117. To amend further Section 388 of Title 51, Code of Alabama 1940, which relates to exemptions from state income tax; and to provide that the Act shall be given retroactive effect to December 31, 1964.

By Mr. Salter:

H. 28. To amend Section 492 of Title 2 of the Code of Alabama of 1940 relating to the expenditure of funds for compiling agricultural statistics.

By Mr. Albea et al:

H. 11. To exempt certain volunteer rescue squads from payment of licenses and registration fees and ad valorem taxes on vehicles used exclusively as life saving, rescue or first aid vehicles; and to provide for the issuance of special tags for such vehicles.

By Mr. Thomas:

H. 9. Making an appropriation from the state treasury for the relief of James L. Campbell of Louisville, Alabama.

By Messrs. Goodwyn, Little and Pierce:

H. 674. To provide an appropriation of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America, pursuant to Section 903 of the Social Security Act, as amended, for the purpose of acquiring land or lands adjoining or adjacent to the Alabama Department of Industrial Relations Building located on the north side of Monroe Street in the City of Montgomery, Alabama, said land or lands to be used for automobile parking purposes by employees of the Division of Employment Security of said Department of Industrial Relations.

By Messrs. Cates, Davis and Etheredge:

H. 692. To provide for a special low-cost hunting license for residents of this State who are 65 years of age or older; to provide for the disposition of the proceeds thereof.

By Messrs. Cates and Davis:

H. 693. To levy and impose a special license for hunting deer and wild turkeys on State operated Wildlife Management Areas; exempting persons 65 or older; providing for use of the proceeds thereof; prescribing a penalty for violation of this Act.

By Messrs. Albea, Burnham and Merrill:

H. 709. To make an appropriation from the state treasury to the use of the bureau of publicity and information for certain purposes.

By Mr. Etheredge et al:

H. 713. To make a conditional appropriation from the Alabama special educational trust fund for additional construction of classrooms and other facilities at Hall Kent School, in Jefferson County.

By Mr. Bailes et al:

H. 770. To make an appropriation from the state treasury for support and maintenance of certain special classes for children.

By Messrs. Engel and McDermott:

H. 782. To amend Section 2 of Act No. 48, H. 34, approved November 1, 1950 (Acts of Alabama, 1951, p. 102) as amended, entitled "An Act to provide old-age and survivors insurance for certain officers and employees of the State and Local governments and making appropriations therefor."

By Mr. Roberts:

S. 180. To regulate distribution of assets in kind in satisfaction of a pecuniary bequest and transfers in trust to a surviving spouse.

By Messrs. Robison (Montgomery), Hawkins, Smith, Tyson, Shelton, Givhan, Taylor, Adams, Brannan, Hammond, Lowe, McDow, James, Bentley and Metcalf:

S. 475. To make an appropriation to the Alabama-Coosa River Improvement Association, Incorporated.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark (with substitute):

S. 510. To amend Sections 4 and 7 of Act No. 372, H. 82, Regular Session 1957 (Acts 1957, V. I, p. 499), an act relating to the Commission on Education with Respect to Alcoholism, so as to further regulate the deposit of the fees collected by the Commission, and to appropriate certain funds for use by the Commission.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McCain, Tyson, Lowe, Givhan, Horton, Carter, Hammond, Eddins, Hawkins, McDow, Allen, Bentley, James, Hornsby, Reynolds, Gilchrist, Lolley, Brannan, Oden, Clark, Taylor, Evans and Wilson:

S. 534. To create a real estate commission special education and scholarship fund; to appropriate monies therefor; to designate a board of trustees for the administration of said fund; to prescribe the powers and duties of such board, and to fix the compensation of its members; to regulate the persons who may receive assistance under this Act.

By Mr. Cooper:

S. 554. To provide for creation and establishment of a state commission on intergovernmental cooperation, providing for the appointment, qualifications and tenure of the members and officers of such commission, and making an appropriation for its use.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Tyson (with substitute):

S. 561. To amend Act 67, Regular Session of the Alabama Legislature of 1963 (Act 67, H. 124, approved June 27, 1963 p. 444, Acts of Alabama 1963, vol. 1) to include in Section 3 a specific appropriation for the early education of deaf children by local school boards.

By Mr. Tyson (with substitute):

S. 569. To authorize the State Bureau of Publicity and Information to equip, maintain, operate and staff tourist welcome centers in this state; and to provide that the cost thereof shall be paid out of proceeds from the lodgings tax appropriated to such agency for tourist promotion.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mathews:

S. 572. To amend further Section 1 (j), Act No. 100, Second Special Session, Legislature of 1959, to provide for an alternative method of payment of sales tax on earth moving and construction equipment.

By Messrs. Lolley, Cooper and Robison (Montgomery):

S. 126. To amend further Section 33, Act No. 100, H. 94, Second Special Session 1959, an act to raise revenue by levying a privilege or license tax against persons on account of certain business activities, so as to exempt from the state sales tax sales to profit or non profit hospital establishments, public or private, of equipment, supplies, and materials used exclusively in the maintenance or operation of the hospital.

By Mr. Fite:

H. 655. To make appropriations from the state treasury for use in administering the Appalachian Regional Development Program for Alabama.

By Messrs. Salter and Edwards (Escambia):

H. 588. To redivide the State into judicial circuits so as to create the Thirty-fifth Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit.

By Messrs. Salter, Turner (Crenshaw) and Pierce:

H. 586. To provide for the establishment, regulation of, and an appropriation for the financing of a scholarship-loan and awards program for the study of Dentistry; repealing Section 509 (13) of Title 52 of the Code of Alabama 1940, as recompiled, and all laws conflicting therewith.

By Mr. Owen:

H. 576. To provide for a fund for the management and supervision of offshore seismic and geophysical crews by the Division of Seafoods, Department of Conservation, and to provide for the expenditure of such monies.

By Mr. Holladay et al:

H. 572. To amend further Code of Alabama 1940, Title 51, Section 787, which relates to definitions used in the state use tax law, so as to re-define the terms "wholesale sale" or "sale at wholesale."

By Mr. Holladay et al:

H. 571. To amend further Section 1, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to further define the terms "sale at wholesale" and "wholesale sale."

By Messrs. Goodwyn, Little, Pierce and Smith:

H. 218. To provide for exclusion of certain municipal privilege licenses in the computation of the state lodgings tax levied and imposed by Act No. 248, Regular Session 1955, as amended.

By Mr. Bassett et al:

H. 171. To make an appropriation to the use of the agricultural center board for construction and equipment of an agricultural center facility in Pike County.

By Messrs. Sullivan and Rast:

H. 170. To amend Sections 10 and 14 of Act No. 576, Acts of Alabama 1959, approved November 19, 1959, entitled "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$22,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act", as amended by Act No. 878, Acts of Alabama 1961, Regular Session, approved September 8, 1961.

By Mr. Engel et al:

H. 146. Relating to state revenue; exempting from the sales tax levied by Section 2(b), Act No. 100, Second Special Session 1959, the gross proceeds from sales of admissions to certain educational and cultural concerts and productions; making such Act retroactive.

By Mr. Rast et al:

H. 820. To make a conditional appropriation from the Alabama special educational trust fund to the use of the trustees of the Alabama Boys' Industrial School in establishing, operating, and maintaining a pre-release and after-care project for delinquent youth.

By Mr. Turner (Crenshaw):

H. 915. To amend Sections 10(10), 10(11), 10(13), Title 45, Chapter 1B, Code of Alabama.

By Mr. Turner (Crenshaw):

H. 916. To amend Section 31 of Title 23, Code of Alabama 1940.

By Mr. Turner (Crenshaw):

H. 917. To amend Act No. 202 of the 1953 Regular Session of the Legislature of Alabama.

By Messrs. Callahan, Campbell (Tuscaloosa) and Brown (Tuscaloosa):

H. 958. To fix the Salaries of Deputy Circuit Solicitor No. 1, and Deputy Circuit Solicitor No. 2, of the Sixth Judicial Circuit of Alabama.

By Mr. Turnham:

H. 965. To authorize the state board of education and trustees of state institutions to purchase certain liability insurance.

By Messrs. Turner (Limestone), Hannah and Boston:

H. 1019. Relating to the development of the Elk River Watershed area; creating the Elk River Development Agency as an agency of the State of Alabama for such purpose; providing for its incorporation as a public body corporate; prescribing its authority, powers, duties, functions, and management; authorizing the agency to issue bonds, and the counties of Lauderdale and Limestone and municipalities therein to contribute funds and levy taxes for its use.

By Messrs. Turner (Limestone), Hannah and Boston:

H. 1020. Proposing an amendment to the Constitution of Alabama relating to the formation of bodies corporate for the development of watershed areas.

The above Bill was read a second time at length as required by the Constitution.

By Mr. McCorquodale:

H. 1027. To make an appropriation to the department of public safety for certain capital outlay purposes.

By Mr. Turner (Crenshaw):

H. 1107. To amend further Code of Alabama 1940, Title 51, Section 348, which relates to the franchise tax levied on foreign corporations.

Mr. Robison (Montgomery), Chairman of the Standing Committee on Public Welfare and Correctional Institutions, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Blanton:

H. 846. Relating to employment of handicapped persons in state service; providing preference for such persons in civil service employment.

Mr. Brannan, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner (Crenshaw) et al:

H. 912. To amend Sections 207, 208, and 218, of Title 22 and to add Section 207(1) to Title 22 of the Code of Alabama of 1940, as amended, relating to Milk Control Board.

By Mr. Hester:

H. 267. To authorize the Commissioner of Agriculture and Industries to enter into contract by bond or insurance policy for the protection of employees of the Department of Agriculture and Industries against certain hazards where such employees are engaged in work involving the inspection, grading and weighing of agricultural products.

Mr. Taylor, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Metcalf:

S. 52. To amend Section two (2) of Act Number 845, Regular Session of the Legislature of Alabama of 1953, Acts of Alabama 1953, Volume 2, page 1136, approved September 19, 1953, (Title 37, Section 481 (2), 1958 Recompiled Edition, Code of Alabama), relating to special municipal censuses conducted by the Federal Bureau of Census, and the use thereof.

Mr. Dumas, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dominick et al:

H. 445. Proposing an amendment to Section 83 of Article 4, Constitution of Alabama, providing for election of the Speaker of the House by secret ballot.

The above Bill was read a second time at length as required by the Constitution.

Mr. Dumas, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Gilchrist, Roberts, Horton and Hawkins (with amendment):

S. 339. To amend Code of Alabama 1940, Title 23, Section 2, in relation to appointment of the highway director.

By Messrs. Gilchrist, Roberts, Hawkins and Bentley (with amendment):

S. 340. To amend Code of Alabama 1940, Title 30, Section 10, which relates to the appointment of members of jury commissions.

By Mr. Gilchrist (with amendment):

S. 341. To regulate further the filling of vacancies in elective offices.

By Mr. Gilchrist (with amendment):

S. 342. To prohibit the governor from using any person, money, or property under his official control or direction, or in his official custody, for private purposes, and fixing the punishment therefor.

By Messrs. Gilchrist, Roberts, Hawkins and Bentley (with amendment):

S. 344. To amend Code of Alabama 1940, Title 17, Section 21, relating to the appointment of county boards of registrars.

Mr. Clark, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones (Covington):

H. 47. To amend further Sections 2 and 9 of Act No. 424, H. 351, Regular Session 1949 (Acts of Alabama 1949, p. 601) which provides for absentee voting in primary, general, special and municipal elections.

Mr. Shelton, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wi:

By Messrs. Metcalf and Clark:

S. 555. To authorize the State Board of Health to construct, equip, maintain, and operate public mental retardation facilities and related facilities and to carry out comprehensive mental retardation programs; to authorize the State Board of Health to set up a master plan for establishing an integrated and interrelated system of such facilities throughout the State of Alabama; to authorize the appointment of an advisory council to act in an advisory capacity to the State Board of Health in carrying out the purposes of this Act; to designate the State Board of Health as the sole and official agency of the State of Alabama to receive and administer any and all funds appropriated by the United States of America or by the State of Alabama, and to receive and administer any and all gifts or donations in general from any individual or agency for the purpose of acquiring, constructing, maintaining, equipping, and operating public and nonprofit mental retardation facilities and implementing mental retardation programs; to authorize the State Board of Health to establish rules and regulations and to provide for licensing of all such facilities; to authorize the State Board of Health to establish and support such internal administrative divisions or bureaux as may be necessary to exercise the powers conferred on its by this Act; to authorize the State Board of Health to obtain or dispose of property; to provide for and authorize the incorporation of Associations as public corporations in the state for the purpose of cooperating with, and acting as agent of, the State Board of Health to acquire, construct, maintain, equip and operate public and nonprofit retardation facilities and to implement mental retardation programs upon the filing of an application with, and the making of certain determinations by, one or more local govern-

ing bodies of counties and municipalities; to provide for the powers, authorities and duties of such Association; to provide the procedure for amending the certificate of incorporation of such Association; to authorize such Associations to do all things necessary to carry out the powers set forth in this Act; to authorize the State Board of Health to cooperate in the acquiring building, equipping, maintaining and operation of any public or nonprofit mental retardation facilities and related facilities; to authorize the State Board of Health to enter into contracts with any agency for the purpose of carrying into effect the above; to authorize local governing bodies to appropriate monies for the support of such facilities; to provide funds to enable the State Board of Health to administer the program as provided in this Act and to pay certain amounts as compensation for the care of patients; to repeal any existing statutes in conflict with the provisions of this Act.

By Mr. Dominick et al:

H. 114. To provide for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

By Mr. Ingram et al:

H. 427. To amend Sections 6, 19, 20, 29 and 37, of Act No. 100 (S. 68), Regular Session of the Legislature of 1959 approved June 24, 1959, General Acts of 1959, an act relating to the Board of Dental Examiners of Alabama.

Mr. Nichols, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Pennington et al:

H. 1061. To provide facilities for displaying certain exhibits in cooperation with the Army and NASA; creating the Army and Space Exhibits Commission as an agency of the State of Alabama and providing for its membership, terms, authority, and duties; authorizing the issuance of bonds; and providing exemptions from all taxes.

By Mr. Pennington et al:

H. 1060. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding one million nine hundred thousand dollars (\$1,900,000) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Army and the National Aeronautics and Space Administration.

The above Bill was read a second time at length as required by the Constitution.

Mr. Tyson Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Salter:

H. 32. To amend Section 90, Title 8, Code of Alabama 1940, as last amended by Act No. 783 of the General Acts of Alabama 1951, page 1378, approved September 11, 1951.

Mr. Tyson, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following Resolution, and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tyson:

S. J. R. 51. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, three-fifths of all the members elected to each house thereof concurring, that Section 93, Article 4 of the Constitution of 1901, as last amended, be amended further as follows: Strike out the words and figures, "When authorized by appropriate laws passed by the legislature the state may at a cost not exceeding ten million dollars engage in the work of internal improvement, or promoting, developing, constructing, maintaining, and operating all harbors and seaports within the state or its jurisdiction, provided, that such work of improvement or improvements shall always be and remain under the management and control of the state, through its state harbor commission, or other governing agency."

Mr. Clark, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Downing et al:

H. 664. Relating to elections; authorizing and providing for absentee voting by seamen, sailors, and mariners.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hawkins (with notice and proof):

S. 575. To alter and rearrange the boundaries between the town of Glencoe and the city of Gadsden so as to detach certain territory from the town of Glencoe and annex the same to the city of Gadsden.

By Mr. Goldthwaite et al:

H. 972. To require the installation and maintenance of an improved system of indexing and recording documents affecting the title to property and other documents and recorded in the office of the Judge of Probate of any county having a population of not less than 125,000 nor more than 200,000 inhabitants according to the last or any subsequent federal census; to provide that said system shall constitute official and permanent records in each such county; to provide for a special recording fee of \$1.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in each such county; to provide for financing the initial installation of said system out of the said special recording fees and by the sale and issuance by each such county of its interest bearing warrants in anticipation of and payable solely out of said special recording fees; to require each such county to issue such warrants in an amount sufficient, when added to said special recording fees then on hand, to pay the costs of such initial

installation; to authorize each such county to issue warrants in anticipation of and payable solely out of said special recording fees for the purpose of refunding any warrants issued hereunder; to authorize said special recording fees to be pledged for payment of the principal of and interest on any warrants issued hereunder; to provide that such warrants and the income therefrom shall be exempt from taxation and that such warrants may be used for investment of trust funds.

By Mr. Posey (with notice and proof):

H. 960. To prohibit the taking or capturing of fish in Winston County by the use of nets.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hain (with amendment):

H. 474. To provide an expense supplement for the circuit solicitor of the Fourth Judicial Circuit of Alabama, payable from the solicitor's fund.

Mr. Cooper Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hain (with substitute):

H. 473. To authorize the solicitor of the Fourth Judicial Circuit of Alabama to appoint and employ a secretary, whose compensation shall be payable from the circuit solicitor's fund.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Albea, and Burnham:

H. 461. To apply in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing expense allowances for coroners of such counties.

By Mr. Faulk (with notice and proof):

H. 1045. Relating to Geneva County; to withdraw and take away criminal and quasi-criminal jurisdiction from justices of the peace and notaries public ex officio justices of the peace.

By Mr. Hawkins (with notice and proof):

S. 574. To alter and rearrange the boundaries and corporate limits of the Town of Glencoe, Alabama, so as to exclude and detach therefrom certain territory presently included in the corporate limits.

By Messrs. Grouby, Heflin, and Powell:

H. 359. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the solicitor of the Nineteenth Judicial Circuit, to be drawn upon by the circuit solicitor of the Nine-

teenth Judicial Circuit, and to provide that the solicitor's fees taxed in all criminal proceedings in the circuit court of Elmore, Autauga, and Chilton Counties be paid into such fund for such purpose.

By Mr. Tyson (with notice and proof):

S. 581. For the relief of MRS. EMMA J. BRAY authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by MRS. BRAY on the Courthouse premises.

By Mr. Lolley (with notice and proof):

S. 578. Relating to Coffee County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

By Mr. Roberts:

S. 576. To repeal as to all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, Act No. 344, S. 10, Regular Session 1951, entitled "An Act To provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not more than 400,000 inhabitants according to the last or any succeeding Federal Census; to provide for the claiming of statutory exemptions on such property; and to provide penalties for failure to comply with the provision of this Act."

By Mr. Campbell (Jackson) (with notice and proof):

H. 998. Relating to Jackson County; levying a license tax on persons and others engaged in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

By Mr. Rast et al (with notice and proof):

H. 1057. To provide for the establishment of a retirement system for employees and officers of Jefferson County, Alabama, and for the Circuit Solicitor in said County, the Solicitor of the Juvenile and Domestic Relations Court of said County, the Solicitor of the Jefferson

County Criminal Court and any deputy appointed by said Circuit Solicitor; to provide for the abolition of the retirement systems established by Act No. 551 of the Legislature of Alabama of 1953, (Ala. Acts, 1953, pages 766, et seq.), and by Act No. 843 of the Legislature of Alabama of 1961, (Ala. Acts, 1961, pages 1250 et seq.); to transfer the assets of the pension systems abolished as aforesaid to the retirement system established by this act; to provide that all members of the abolished systems shall be members of the retirement system hereby established which shall be liable for all obligations of the abolished systems; to provide that the retirement system established by this act shall be financed by contributions of said employees and officers and said County to the pension fund; to provide for the administration of the said retirement system by a Pension Board; and to authorize, but not require, the Pension Board to purchase annuity contracts, or policies, to assure payment of benefits accruing in favor of members of either of the two abolished retirement systems.

By Messrs. Pennington, Reynolds, and Baker (Madison) (with notice and proof):

H. 1064. To amend further Section 1, Act No. 501, S. 399, Regular Session 1957, an act regulating the compensation of the judge of probate of Madison County.

By Mr. Rast et al:

H. 1051. Proposing an amendment to the Constitution relating to authorizing the City of Birmingham to levy and collect each year in addition to all other taxes, now or hereafter authorized, a special ad valorem tax of fifty cents on each one hundred dollars worth of taxable property in the city.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Rast et al:

H. 1053. To amend Section 17 of Act Number 385 of the 1947 Session of the Legislature of Alabama, approved September 16, 1947 (General Acts of Alabama 1947, page 280) entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants or more, according to the last or any subsequent Federal census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this Act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this Act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this Act".

By Mr. Vacca et al:

H. 1054. To authorize the Registers and Clerks of all Circuit Courts, in Counties having a population of 600,000 or more inhabitants, according to the last or any subsequent Federal Census, to destroy certain documents, papers and exhibits.

By Mr. Vacca et al:

H. 1055. To authorize the Registers and Clerks of all Circuit Courts in counties having a population of 600,000 inhabitants or more, according to the last or any subsequent Federal census, to record all pleadings, decrees and other documents presently or hereafter required to be recorded, by means of photograph or microphotograph machines, and for preserving such on film and microfilm.

By Messrs. Owens, Burns, and Nabors:

H. 1042. To amend further Section 1 of Act No. 158, H. 399, Regular Session 1961 (Acts 1961, p. 206), which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to regulate further the payment of an expense allowance to the coroner in any such county.

By Mr. Gilmore et al (with notice and proof):

H. 1056. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 19 South, Range 4 West, Jefferson County, Alabama.

By Mr. Faulk (with notice and proof):

H. 1044. Relating to Geneva County: To provide further for the distribution of fines and forfeitures in certain cases.

By Mr. Faulk (with notice and proof):

H. 1043. Relating to Geneva County: To authorize the county governing body to employ an industrial development agent for the County; fix his term of employment and compensation, and prescribe his duties.

By Mr. Moore (with notice and proof):

H. 1005. To fix the compensation of election officers in Lawrence County.

By Messrs. Burns, Owens and Nabors:

H. 1041. Relating to counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; to provide an expense allowance for the judge of probate of any such county.

By Mr. Heflin (with notice and proof):

H. 1038. To establish a Law and Equity Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties, and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation, and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Chilton County Law and Equity Court, Probate Court, and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the Chilton County Law and Equity Court.

By Mr. Camp:

H. 1076. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school district number one, Talladega County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Vacca et al:

H. 1050. Relating to counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain functions and duties from the Judge of Probate to the Tax Collector; relieving the Judge of Probate of such duties; providing for the payment of all fees for such duties to the County Treasurer or County Depository to the credit of the general fund of such county and the payment of additional compensation to the Tax Collector for the performance of the additional duties and the additional responsibilities imposed by this act, effective with the next term of any such Tax Collector; and repealing conflicting laws.

By Mr. Avery:

H. 1046. To repeal special county excise taxes in counties having populations of not less than 19,500 nor more than 20,000.

By Mr. Meade (with notice and proof):

H. 1036. To amend Section 1 of Act No. 143, Acts of Alabama 1963, Volume 1, page 519, relating to the compensation of clerks, deputies and assistants to the circuit clerk of Cherokee County, Alabama.

By Mr. Meade (with notice and proof):

H. 1034. To amend Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, to provide that it shall not be a requirement that the person appointed to fill a vacancy in the office of the Judge of the Cherokee County Court be an elector of Cherokee County, Alabama, but to require him to reside within the county during his term of office.

By Mr. Meade (with notice and proof):

H. 1035. Relating to Cherokee County; fixing the compensation of certain county officers; further amending Act No. 162, S. 210, Regular Session 1943 (Local Acts 1943, page 78), as amended.

By Messrs. Merrill, Albca and Burnham:

H. 1032. To prohibit the commissioner of licenses in all counties having a population of not less than 76,000 and not more than 96,000 from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit; and repealing conflicting laws.

By Messrs. Hannah and Boston (with notice and proof):

H. 1003. To alter, rearrange and extend the boundary lines and Corporate limits of the Town of Rogersville, Lauderdale County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tyson (with substitute):

S. 504. Relating to all counties having populations of not less than 150,000, according to the most recent federal decennial census; further regulating the plumbers Examining Board in establishing the competency of plumbers; and further amending Section 7 of Act No. 529, H. 977, Regular Session 1949 (Acts 1949, p. 827).

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gilmore et al:

H. 1030. To provide that in every county of the State having a population of 500,000 or more, according to the last or any subsequent federal census, primaries for the nomination of candidates for certain offices, designated in this act, shall be held at the time specified in this act and the general election to fill such offices shall be held at the time specified in the act; to provide, with respect to such primaries, that the first primary shall be held on the first Tuesday following the 15th of July next preceding the general election of said officers and that the run-off primary, if necessary, shall be held on the fourth Tuesday following the first primary; to provide that the general election of each of such officers shall be held on the first Tuesday in the October next preceding the expiration of the term of the person then holding the office; to provide that this act shall apply to the offices held by the following: the Judges of the Circuit Court where only qualified electors of said county or only qualified electors of a part of said county are entitled to participate in the election of the Circuit Judges serving in the county; the Circuit Solicitor where only qualified electors of said county are entitled to participate in his election; the members of the governing body of the county; the Probate Judge; the Sheriff; the Tax Collector; the Tax Assessor; the County Treasurer; justices of the peace; constables; the deputy of any of the foregoing officers where such deputy is elected by the voters residing in a designated part of the county; any other county officer elected at or in an election at or in which only the qualified electors of said county or the qualified electors of a designated part of said county are entitled to vote; and any party officer elected at a primary election in which primary election of such party officer only the qualified electors of the county or a part of the county are entitled to vote.

By Mr. Pennington et al (with notice and proof):

H. 1065. To amend further Section 3, Act No. 661, H. 1077, Regular Session 1957, the act creating the Madison County Court, in relation to the compensation of the judge of said court.

By Mr. Sullivan:

H. 1022. To provide clerk-hire allowance for certain officers of all counties having populations of not less than 21,850 nor more than 21,950.

By Mr. Turner (Limestone):

H. 1026. Proposing an amendment to the Constitution of Alabama relating to the town of Lester, Limestone County, and ordering an election thereon.

The above Bill was read a second time at length as required by the Constitution.

Mr. Metcalf, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner (Crenshaw) et al (with substitute):

H. 973. To regulate visiting speakers at state supported colleges and universities.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hogan et al (with amendment):

H. 725. To amend further Section 788 of Title 37, Code of Alabama 1940, as amended, relating to municipal planning commissions in all cities having populations of not less than 200,000 nor more than 300,000 according to the most recent federal decennial census.

By Mr. Hogan et al (with amendment):

H. 726. Further amending Section 781, Title 37, Code of Alabama 1940, as amended; prescribing certain qualifications for membership of the board of adjustment in cities of not less than 200,000 nor more than 300,000 population according to the most recent federal decennial census.

RESOLUTIONS

Mr. Hawkins offered the following Senate Joint Resolution, to-wit:

S. J. R. 52. RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the bill, S. B. 68, which has passed both houses be designated and known as "The Lolley, Nichols, and Nabors Bill."

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION IN WRITING

Mr. Nichols offered the following Motion in Writing, to-wit:

"Motion in Writing

"I move that when the Senate adjourns today that we adjourn to meet again at 10 o'clock on Tuesday, August 10.

"Sen. Bill Nichols"

Which was adopted.

RESOLUTIONS

Mr. Evans offered the following Senate Joint Resolution, to-wit:

S. J. R. 53. WHEREAS the Choctaw County General Hospital began operating in Butler, Alabama on October 1, 1960 with the aid and support of a four mill tax levy approved by the voters of the county; and

WHEREAS through the sound policies of the medical board, the medical advisory board, the Choctaw County hospital board and its chairman, Mr. W. R. Lanier; the able management of its administrator, Mr. Walter J. Friday; and the efficient and dedicated services of the devoted technicians and employees of the hospital, the institution has been able to pay all of its bonded indebtedness and is operating as a going concern without any deficit of any kind; and

WHEREAS the administrative board of this fine hospital equipped with facilities for seventy bed patients and with a thirty-bed nursing home has petitioned the county governing body to reduce the county levy for hospital purposes from four mills to one mill; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends the Choctaw County Hospital Board, the hospital medical board, the medical advisory board, and the hospital administrator, Mr. Walter J. Friday, and all of the technicians and employees for their efforts in making this fine hospital such an outstanding success.

RESOLVED FURTHER That a copy of this resolution shall be sent to Mr. W. R. Lanier, Mr. Walter J. Friday and to The Choctaw Advocate.

On motion of Mr. Evans, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Carter offered the following Senate Joint Resolution, to-wit:

S. J. R. 54. WHEREAS Mr. Arthur Curtis Branyon, brother of our esteemed colleague, Representative James A. Branyon of Fayette County, passed away in Guntersville on August 3, 1965, as the result of injuries received in a traffic accident; and

WHEREAS for a number of years Mr. Branyon had worked with the State Department of Conservation, and for the past six years was manager of Little Mountain State Park. It was largely due to his perceptive foresight and unstinting efforts to interest State officials and local citizens and groups in the project that Little Mountain State Park has become one of the most attractive camping and recreation spots in the Guntersville area. The chapel to be built in the Park will be named the Curt Branyon Memorial Chapel in his honor; and

WHEREAS Mr. Branyon, beloved and enjoyed by his many friends, by his diligence and devotion contributed greatly to his community and State, and his absence and the lack of his capable energies will be sorely felt; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the untimely death of Curt Branyon, and extend our sincere and heartfelt sympathy to the surviving members of his family: his widow, the former Miss Lucille Walker of Guntersville; his daughters, Mrs. Jimmy Burleson of Winfield and Miss Martha E. Branyon of Birmingham; and his brother, the Honorable James A. Branyon.

On motion of Mr. Carter, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the unfinished business for today, which was the Bill:

H. 57. To levy a tax upon persons engaged or continuing within this state in the business of selling at retail any machine, machinery, or equipment used for certain agricultural purposes, and the parts of such machines, machinery, or equipment, and attachments and replacements therefor, in lieu of the sales tax levied by Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and providing for the enforcement and collection of such tax.

The question was on the motion of Mr. Gilchrist that the Senate postpone until the Thirty-First Legislative Day further consideration of the motion of Mr. Robison (Montgomery) that the Senate reconsider the vote by which it laid on the table his amendment to the Bill.

The President and Presiding Officer ruled that the motion to postpone was now moot.

The question then recurred on the motion of Mr. Robison (Montgomery) that the Senate reconsider the vote by which it laid on the table his amendment to the Bill, H. H. 57, which said amendment is set out at length in the Journal of the Senate for the Thirtieth Legislative Day. The motion to reconsider was adopted, and the Senate did reconsider said vote.

Mr. Givhan moved that the amendment offered by Mr. Robison (Montgomery) be laid on the table, which motion was lost.

And said amendment to the Bill, H. B. 57, was then adopted.

Yeas 31; Nay 1.

Yeas:

Messrs.:	Eddins	James	Reynolds
Adams	Evans	Lolley	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalf	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Nichols	Tyson
Cooper	Horton	Oden	Wilson

—31

Nay: Mr. Roberts

—1

And said Bill, H. B. 57, as thus amended, was then read a third time at length and passed.

Yeas 31; Nays 3.

Yeas:

Messrs.:	Eddins	James	Oden
Adams	Evans	Lolley	Reynolds
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Metcalf	Taylor
Clark	Hornsby	Montgomery	Tyson
Cooper	Horton	Nichols	Wilson

—31

Nays: Messrs.: Dumas, Roberts, Shelton

—3

The Bill:

H. 227. To levy an excise tax on the storage, use or other consumption in this state of certain tangible personal property purchased at retail, in lieu of the state use tax levied by Code 1940, Title 51, Section 788, as amended, and to provide for the enforcement and collection of such tax.

was taken up.

Mr. Robison (Montgomery) offered the following amendment to the Bill, H. B. 227, to-wit:

AMENDMENT TO H. B. 227

Amend H. B. 227 by striking Section 4 of said bill and substitute the following:

"Section 4. This act shall become effective October 1, 1966."

Which was adopted.

Yeas 30; Nay 1.

Yeas:

Messrs.:	Eddins	James	Reynolds
Adams	Evans	Lolley	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McDow	Smith
Brannan	Hammond	Metcalf	Taylor
Clark	Hawkins	Montgomery	Tyson
Cooper	Hornsby	Nichols	Wilson
Dumas	Horton	Oden	
			—30

Nay: Mr. Roberts —1

And said Bill, H. B. 227, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 4.

Yeas:

Messrs.:	Eddins	James	Reynolds
Adams	Evans	Lolley	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Smith
Brannan	Hammond	McDow	Taylor
Carter	Hawkins	Montgomery	Tyson
Clark	Hornsby	Nichols	Wilson
Cooper	Horton	Oden	
			—30

Nays:

Messrs.:	Metcalf	Roberts	Shelton
Dumas			
			—4

The Bill:

S. 160. To amend further Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama, 1951, page 259), entitled "An Act to provide educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 30; Nay 1.

Yeas:

Messrs.:	Dumas	Horton	Roberts
Adams	Eddins	James	Robison (Montgomery)
Allen	Evans	Lolley	Robison (Pickens)
Bentley	Gilchrist	Mathews	Smith
Brannan	Givhan	McDow	Taylor
Carter	Hammond	Montgomery	Tyson
Clark	Hawkins	Oden	Wilson
Cooper	Hornsby	Reynolds	—30

Nay: Mr. Metcalf

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 401. To alter and re-arrange the boundaries of Geraldine in DeKalb County, Alabama.

Also:

S. 424. To amend further Section 2, Act No. 68, H. 394, Regular Session 1957, relating to exemptions from the Limestone County sales and use tax act.

Also:

S. 450. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

S. 460. Relating to all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent federal decennial census; providing additional per diem pay from county funds for members of the county board of equalization; making the Act retro-active.

Also:

S. 469. To prohibit the commissioner of licenses in all counties having a population of not less than 76,000 and not more than 96,000 ~~from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit; and repealing conflicting laws.~~

Also:

S. 490. Proposing an amendment to the Constitution of Alabama relating to the town of Lester, Limestone County, and ordering an election thereon.

Also:

S. 495. To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, so as to annex certain territory to the town; making the act effective upon ap-

proval of the qualified electors of the territory to be annexed and providing for a referendum on the proposition.

Also:

S. 499. Relating to Geneva County: To authorize the county governing body to employ an industrial development agent for the County; fix his term of employment and compensation, and prescribe his duties.

Also:

S. 500. Relating to Geneva County: To provide further for the distribution of fines and forfeitures in certain cases.

Also:

S. 506. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school district number one, Talladega County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 329. Proposing an amendment to the Constitution of Alabama relative to the compensation of certain officers of Greene County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 400. To make a supplemental appropriation to the Department of Public Safety.

Also:

H. 2. Relating to taxation; exempting herbicides from the state and use taxes.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

RECESS

At 1 o'clock P. M., on motion of Mr. Mathews, the Senate took a recess until 1:30 P. M.

AFTERNOON SESSION
THIRTY-FIRST LEGISLATIVE DAY

FRIDAY, AUGUST 6, 1965

The Senate re-assembled at 1:30 P. M., Lieutenant Governor Allen presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalf	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Nichols	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James	Reynolds	

—34

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 155. To amend Section 365 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Also:

S. 353. Relating to Butler County; authorizing and providing for optional attendance at McKenzie schools of certain non-resident school pupils.

Also:

S. 375. To alter or rearrange the boundary lines of the Town of Slocomb, Alabama, so as to include within the corporate limits of said town, all territories not within such corporate limits and also certain other territory contiguous thereto in Geneva County, Alabama.

Also:

S. 378. For the relief of Elmer Henry of Marshall County, authorizing the county governing body of Marshall County to make an appropriation of county funds to compensate Elmer Henry for certain damages.

Also:

S. 439. Relating to counties having a population of not less than 22,000 and not more than 22,350 according to the last or any subsequent federal decennial census; providing for the substitution by the county board of education in such county for use in the schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

Also:

S. 458. To repeal Act No. 62, H. 142, approved May 30, 1951, entitled "An Act to fix the territorial jurisdiction, subdivision jurisdiction or jurisdiction of area of the City Planning Commission of the City of Guntersville, Alabama."

Also:

S. 248. Relating to Greene County; regulating and providing for the payment of compensation of election officers.

Also:

S. 318. To provide further for the selection of textbooks and instructional materials for use in the public schools in Marengo County.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Young (with notice and proof):

H. 1156. To permit, and to provide for, the establishment of branch banks in Randolph County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA COUNTY OF RANDOLPH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To provide for establishment of a branch bank at Woodland, Randolph County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank doing business in Randolph County shall have power to establish, maintain and operate within the limits of the municipality of Woodland in said county, a branch office or an additional office or place of business, for the receipt of deposits, the making of loans, and transacting a general banking business. However, no branch bank or branch office of a bank shall be established under this Act without the consent of the State Superintendent of Banks.

Section 2 All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1965.

R. T. BAILEY.

Sworn to and subscribed before me July 22, 1965.

GROVER L. POOLE,
Circuit Clerk.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1156. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Engel, McDermott and Downing:

H. 145. To amend further Section 14 of Act No. 40, S. 4, Special Session 1956, an act which created and established the Court of General Sessions of Mobile County (Acts 1956, p. 328).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of the State of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 14 of Act No. 40, S. 4, Special Session 1956, an act which created and established the Court of General Sessions of Mobile County (Acts 1956, p. 328).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 14 of Act No. 40, S. 4, Special Session 1956, the act which created and established the Court of General Sessions of Mobile County (Acts 1956, p. 328), as amended by an act approved August 13, 1957 (Acts 1957, p. 269), is amended further to read as follows:

"Section 14. The presiding judge of the Court of General Sessions shall appoint a clerk of the court. The clerk shall be appointed without regard to the county merit or civil service system, and shall serve at the will and pleasure of the presiding judge of the said court. He shall be paid an annual salary of seven thousand five hundred dollars, in equal monthly installments, from the general fund in the county treasury."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first day of the first month beginning after its passage and approval of the Governor, or upon its otherwise becoming a law.

Luis M. Williams being sworn, says that he is Bus. Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Apr 14, 19, 26, May 3, 1965.

LUIS M. WILLIAMS.

Sworn to and subscribed before me This 3 day of May, 1965.

EDWIN LEE PERKINS,
Notary Public.

(SEAL)

Also:

By Mr. Engel:

H. 1015. To amend Section 10, of Act No. 934 approved September 9, 1961, General Acts of Alabama, 1961, Vol. II, page 1506, entitled:

"To provide for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census; to more fully define the duty, authority and responsibility of the Tax Assessor of such counties in the matter of equalizing assessments of real property within such counties; to provide for the division of such counties into districts for the purpose of tax assessment records; to require that certain records be kept and maintained on a current basis by the Tax Assessor of such counties; to describe the manner in which such records are to be kept; to provide a time within which the equalization program required herein is to be initially completed; to provide for a continuous program of appraisal of real property within such counties; to provide for the assessments of improvements to real property within such counties; to prescribe penalties for failure to assess,

or properly assess, improvements to real property within such counties; to prohibit the remittance of any such penalties except as provided for by this Act; to provide for the publishing of reports of the progress of the carrying out of the provisions of the Act; to provide for a portable set of assessment records for use by appraiser appointed by the Tax Assessor; to define the duties of the Board of Equalization in such counties in the matter of the equalization of assessments of real property; to provide that no outstanding obligations against the proceeds of any tax derived from assessments of real properties in such counties shall be impaired by the provisions of this Act; to provide for appeals of any assessment made by the Tax Assessor or ruling of the Board of Equalization of such counties; to provide for the necessary personnel, supplies, materials, and equipment to carry out the provisions of this Act and to provide the manner in which personnel are to be appointed in such counties; to provide for the severability of the provisions of the Act; to repeal all laws or parts of laws in conflict with the provisions of this Act."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 145 and 1015. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

Also:

By Mr. Owen:

H. 1092. Relating to Baldwin County: To regulate further the salaries of the deputies of the sheriff of such county.

STATE OF ALABAMA COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Baldwin County: To regulate further the salaries of the deputies of the sheriff of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The chief deputy sheriff of Baldwin County shall receive an annual salary of not more than six thousand dollars; and each of the other deputies of the sheriff whose compensation is paid by the county shall receive an annual salary of not more than five thousand four hundred dollars. The exact amount of the salary of the chief deputy and of each other deputy shall be set by the county commissioners or other like governing body of the county. Such salaries shall

be paid in equal monthly installments from such funds in the county treasury as the county governing body directs, as heretofore authorized by law.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1965.

J. H. FAULKNER, JR.

Sworn to and subscribed before me June 24, 1965.

DOROTHY MARTIN,
Notary Public.

By Mr. Owen:

H. 1093. To authorize the judge of the Twenty-eighth Judicial Circuit to appoint an assistant to be designated librarian-secretary, and to prescribe the duties and fix the compensation of such assistant, and to provide for the payment of the compensation of such librarian-secretary out of the county treasury of the county composing the circuit.

Also:

By Mr. Owen:

H. 1094. Relating to counties having populations of not less than 48,500 nor more than 49,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

By Mr. Owen:

H. 1095. To provide for compensation of jurors in Baldwin County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To provide for compensation of jurors in Baldwin County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in Baldwin County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll. However, only one such travel allowance shall be paid a grand juror for attending any one session of the grand jury and only one such travel allowance shall be paid a petit juror for attending court pursuant to one summons. His service and travel expenses shall be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate which states therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county, taxes, and other county dues, and payable out of the county treasury.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF BALDWIN**

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1965.

J. H. FAULKNER, JR.

Sworn to and subscribed before me June 24, 1965.

DOROTHY MARTIN,
Notary Public.

Also:

By Mr. Owen:

H. 1096. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex territory to the said City.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill in substance as follows will be introduced at the current session of the Legislature of Alabama and an application will be made for its passage and approval:

"AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex certain territory to the said City.

Be It Enacted by the Legislature of Alabama:

SECTION 1: The boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, are hereby altered, rearranged, extended and fixed so as to include within the corporate limits of the said City additional territory, which additional territory and that now included within the corporate limits of the said City shall be the territory lying within the following described boundaries, to-wit:

Begin at the point where the North right of way line of the Louisville and Nashville Railroad intersects the East line of Section 3, Township 2 South, Range 3 East, thence Southwestwardly along the North right of way line of the said railroad to the South line of the said Section 3, thence West to the Southeast corner of the Southwest Quarter of the Southwest Quarter of the said Section 3, thence North to the Northeast corner of the Southwest Quarter of the Southwest Quarter of the said Section 3, thence West to the West line of the said Section 3, thence North to the half section post on the West line of the said Section 3, thence West to the Northeast corner of the Northwest Quarter of the Southwest Quarter of Section 4, Township 2 South, Range 3 East, thence North to the Northwest corner of the South Half of the Southeast Quarter of the Southwest Quarter of Section 33, Township 1 South, Range 3 East, thence West to the Northwest corner of the South Half of the Southeast Quarter of the Southeast Quarter of Section 32, Township 1 South, Range 3 East, thence South to the Northwest corner of the Southeast Quarter of the Southeast Quarter of Section 5, Township 2 South, Range 3 East, thence West to the half section line in the said Section 5, thence South along the half section line of Sections 5, 8, 17 and 20, Township 2 South, Range 3 East to the Northeast corner of the Southeast Quarter of the Northwest Quarter of the said Section 20, thence East to the East line of the said Section 20, thence South along the East line of the said Section 20 and along the East line of Section 29, Township 2 South, Range 3 East, to the Northeast corner of the Southeast Quarter of the Northeast Quarter of the said Section 29, thence East to the Northeast corner of the Southwest Quarter of the Northwest Quarter of Section 28, Township 2 South, Range 3 East, thence South to the South line of the said Section 28, thence East along the South line of the said Section 28 to the West right of way line of the Bay Minette and Fort Morgan railroad, thence Northeastwardly along the West right of way line of the Bay Minette and Fort Morgan Railroad to the point where the said West right of way line intersects the North line of Section 21, Township 2 South, Range 3 East, thence East to the half section post on the North line of Section 22, Township 2 South, Range 3 East, thence North along the half section line through Section 15, Township 2 South, Range 3 East to the half section post on the North line of the said Section 15, thence East along the North line of the said Section 15 to the Northeast corner thereof, thence North along the East line of Section 10, Township 2 South, Range 3 East, and along the East line of Section 3, Township 2 South, Range 3 East, to the

point or place of beginning; all of which said property is situated in Baldwin County, Alabama.

SECTION 2: This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law."

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

J. H. Faulkner, Jr., being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Legal Notice—An Act

The extension of boundary lines & corporate limits of the City of Bay Minette was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 1, 1965.

Date of 2nd publication July 8, 1965.

Date of 3rd publication July 15, 1965.

Date of 4th publication July 22, 1965.

Subscribed and sworn before the undersigned this 22 day of July, 1965.

DOROTHY MARTIN,
Notary Public, Baldwin County.

J. H. FAULKNER, JR.,
Editor.

Also:

By Mr. Owen:

H. 1159. Proposing an Amendment to the Constitution of Alabama to authorize a district hospital tax in Baldwin County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1092, 1093, 1094, 1095, 1096 and 1159. To the Committee on Local Legislation.

(The above numbered Bill, H. B. 1159, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Engel, Hogan, McDermott, Collins (Mobile), Edington, Downing and Rogers:

H. 140. To authorize and provide for carrying out the October 29, 1963, action of the State Board of Education to develop the Alabama State College Center at Mobile into a junior college to be operated separate and apart from the Alabama State College as soon as legislative appropriations are met for such junior colleges including said Mobile Junior College in the annual appropriation for junior colleges under the State Board of Education or by any specific appropriation made for said Mobile Junior College for the fiscal years ending September 30, 1966, and September 30, 1967, said appropriation or allocation thereof to be provided for the maintenance, operation, and administration of such college.

Also:

By Mr. Goodwyn:

H. 222. To repeal Section 676, Title 51, Code of Alabama 1940.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 140. To the Committee on Finance and Taxation.

H. B. 222. To the Committee on Mining and Manufacturing.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Blanton:

H. 58. To adopt the Uniform Vendor and Purchaser Risk Act; defining the rights and duties of vendors and purchasers under certain contracts for the purchase and sale of realty.

Also:

By Mr. Blanton:

H. 601. To require the operators and riders of certain two-wheel motorized vehicles to wear protective helmets; and to prescribe penalties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 58 and 601. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Burns and Nabors:

H. 1117. Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; providing expense allowances for the president or chairman and members of the court of county commissioners, board of revenue, or other like governing body of the county.

Also:

By Mr. Daniel:

H. 1162. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Also:

By Mr. Owen:

H. 1163. To regulate further the meeting days and compensation of the county boards of registrars in all counties having populations of not less than 48,200 nor more than 49,200 according to the most recent federal decennial census.

Also:

By Mr. Powell:

H. 1171. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulates their compensation and allowances.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF ELMORE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies

of the sheriff of Elmore County and regulates their compensation and allowances.

Be It Enacted by the Legislature of Alabama:

Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County (Acts 1957, v. 1, p. 92), is hereby amended to read as follows:

"Section 6. The said Chief Deputy and the Deputies authorized in Sections 3, 4, and 5 hereof, in addition to their regular monthly compensation, shall each be paid for traveling in the performance of his official duties as such Chief Deputy and Deputies in all cases where he provides his own automobile and pays for operating the same, the sum of \$200 a month for expenses."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 8, July 15, July 22, and July 29, all in the year 1965.

JOHN P. HARRIS.

Sworn to and subscribed before me 29th day of July, 1965.

MRS. OMA A. MERCER,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1117, 1162, 1163 and 1171. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Cates:

H. 1210. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; providing for the payment from county funds of travel allowances for members of the county board of equalization; repealing Act No. 215, H. 229, First Special Session 1964 (Acts 1964, p. 297); giving the Act retroactive effect.

Also:

By Mr. Avery:

H. 1208. To amend Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

By Messrs. Reynolds, Pennington and Baker (Madison):

H. 1207. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

By Mr. Engel:

H. 1189. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama 1955, (Vol. 1, p. 515), approved August 3, 1955, entitled "an Act to provide further for the compensation of the Circuit Solicitor in Circuits composed of one County and having not less than four nor more than nine Circuit Judges", as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. 1, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940, and as further amended by Act 117, H. 130, Acts of Alabama, 1964, approved August 24, 1964, page 177.

Also:

By Messrs. Engel and McDermott:

H. 1146. Relating to all counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; regulating the occupation and practice of cosmetology; establishing a board of cosmetological examiners in each such county; defining the duties of such boards and providing for the election, duties and compensation of its members; defining the practice of cosmetology; prescribing qualifications for apprentices and students, and admissions to practice cosmetology; providing for the issuance and renewal, or revocation of certificates of registration for shops and schools teaching cosmetology; and prescribing penalties for violations.

Also:

By Messrs. Engel, McDermott, Edington, Hogan and Rogers:

H. 937. To amend Code of Alabama 1940, Title 14, Section 432 which relates to trespass on lands.

Also:

By Messrs. Engel, McDermott, Edington, Hogan and Rogers:

H. 939. To amend Act No. 60, H. 80, 1953 Regular Session (Acts 1953, p. 88) which makes it a misdemeanor for a person to dump, throw, place, or leave garbage, trash, refuse, or other such debris upon the land or property of another under certain conditions, and prescribe punishment therefor.

Also:

By Messrs. Bolton and Camp:

H. 1157. To provide for purchasing and furnishing state-owned textbooks for classes and schools operated by the Alabama Institute for Deaf and Blind.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 1210, 1208, 1207, 1189 and 1146. To the Committee on Local Legislation.

H. B.'s 937 and 939. To the Committee on Judiciary.

H. B. 1157. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hankins:

H. 1186. To regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 13,650 nor more than 14,350, according to the 1960 or any subsequent federal decennial census.

Also:

By Mr. Faulk:

H. 1173. To Provide for an expense allowance for the Circuit Solicitor of the 33rd Judicial Circuit of Alabama, who resides and has an office at the County site of Geneva County, Alabama; and providing for the payment of such expense allowance out of the General Fund of Geneva County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

The following bill will be introduced for passage in the present session of the legislature.

A BILL TO BE ENTITLED AN ACT

To Provide for an expense allowance for the Circuit Solicitor of the 33rd Judicial Circuit of Alabama, who resides and has an office at the County site of Geneva County, Alabama; and providing for the payment of such expense allowance out of the General Fund of Geneva County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1: Upon the passage and approval of this Act, the Circuit Solicitor of the 33rd Judicial Circuit of Alabama, who resides and has an office at the County site of Geneva County, Alabama, shall receive an expense allowance for the purpose of defraying expenses in the performance of his official duties and shall be in the amount of \$1200.00 per annum to be paid by Geneva County. The expense allowance hereby authorized shall be paid in equal monthly installments out of the General Fund of said County, and such expense allowance shall be in addition to all other compensation now authorized by law.

Section 2: This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA

Geneva County

I, Orsen Spivey, Publisher of The Samson Ledger, a weekly newspaper published in Samson, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of four consecutive weeks, commencing July 8, 1965, and ending July 29, 1965. WITNESS my hand this 29 day of July, 1965.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 29 day of July, 1965.

JEAN BRANNON,
Notary Public.

Also:

By Mr. Moore:

H. 1187. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Moulton, Lawrence County, so as to annex certain territory to the town.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA

COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the town of Moulton, Lawrence County, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Moulton, Lawrence County, are hereby altered, rearranged, and extended so as to incorporate within the town the following described territory lying and being in Lawrence County, to-wit:

The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33, Township 6 South, Range 7 West; the SW $\frac{1}{4}$ of Section 28, Township 6 South, Range 7 West, less a strip across the North side of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ 135 feet wide. Also, all that part of the SE $\frac{1}{4}$ of Section 29, Township 6 South, Range 7 West, which lies South and East of the Hillsboro Road, except a strip off the Northeast corner thereof 135 feet wide, North and South, and less a lot in the Southwest corner thereof described as follows: Commence at the Southeast corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and run West 164 feet to the point of beginning; thence run West 450 feet, more or less, to the East side of the Hillsboro Road, thence run in a Northeasterly direction along the East side of said road 664.6 feet, thence run Northeast 142 feet, thence run in a Southerly direction 664.6 feet, more or less, to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 29, all in the year 1965.

ARTHUR F. SLATON.

Sworn to and subscribed before me July 29, 1965.

JUDY B. JOHNSON,
Notary Public.

Also:

By Mr. Pruitt:

H. 1192. To alter, extend, and rearrange the boundaries of the municipality of Livingston in Sumter County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF SUMTER

NOTICE is hereby given that a bill substantially as follows will be introduced in and application for its passage and enactment will be the Legislature of Alabama made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, extend, and rearrange the boundaries of the municipality of Livingston in Sumter County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the Town of Livingston in Sumter County are hereby altered, extended and re-

arranged so as to include within the corporate limits of said town, in addition to the territory included within the present corporate limits, the following described territory:

Begin at the Northeast corner of the Southeast quarter of the Northeast quarter of Section 21, Township 19, Range 2 West, which is the Northwest corner of the present city limit of the Town of Livingston, from said point of beginning, run thence West along the South line of the North half of the North half of said Section 21, Township 19, Range 2 West, to the Northwest corner of the Southwest quarter of the Northwest quarter of said section, which is on the West section line of Section 21, thence from said point, thence run South along said section line to the Northwest corner of Section 28, Township 19, Range 2 West, thence continue South along the West section line of said Section 28 to the low water mark of the Sucarnoochee River; thence run in a Southeasterly direction along the low water mark of the Sucarnoochee River to the Southwest corner of the present city limits of the City of Livingston, thence follow the present city limits to the point of beginning.

Begin at a point on the East line of Section 34, Township 19 North, Range 2 West, which is 1482.4 feet North of the Southeast corner of Section 34; thence North 84 degrees 39 minutes West along the fence for 1323.8 feet to a point on the East margin of a farm road, thence North 7 degrees 30 minutes East along the East margin of said road for 1455.5 feet to a pipe set as the Northwest corner of the tract herein described; thence 81 degrees 00 minutes East 707.5 feet to the corner post at the Southwest corner of a barn lot; thence North along the barn lot fence for 76 feet to the Northwest corner of the said barn lot; thence East along the barn lot fence for 118 feet to a pipe; thence 58 degrees 30 minutes West along the fence for 390 feet to a point, thence, South 80 degrees 45 minutes East for 401 feet to a point on the East line of Section 34; thence South along said section line 965 feet to the point of beginning. Being situated in Section 34, Township 19 North, Range 2 West.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 8, July 15, July 22, and July 29, all in the year 1965.

DICK SMITH.

Sworn to and subscribed before me this the 30th day of July, 1965.

LOUISE W. HANLEY,
Notary Public.

Also:

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 1206. To provide an expense allowance for the judges of probate in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

Also:

By Messrs. Pennington, Baker (Madison) and Reynolds:

H. 1205. To amend Section 1 of Act No. 173, H. 152, Regular Session 1961 (Acts 1961, p. 217), an act entitled "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000", so as to regulate further the per diem and the maximum amount of compensation payable to members of such jury commissions.

Also:

By Mr. Paulk:

H. 1174. Relating to Bullock County; providing further for the administration and collection of special privilege licenses or excise taxes levied pursuant to Act No. 176, H. 687, Regular Session 1957, imposing certain duties upon the Court of County Commissioners of said county in reference to the enforcement of such taxes and the collection thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BULLOCK

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Bullock County; providing further for the administration and collection of special privilege licenses or excise taxes levied pursuant to Act No. 176, H. 687, Regular Session 1957, imposing certain duties upon the Court of County Commissioners of said County in reference to the enforcement of such taxes and the collection thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The special county privilege license tax or taxes levied in Bullock County under Act No. 176, H. 687, Regular Session 1957, shall be subject to all the definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments and deductions as set out in the state sales tax act, Act No. 100, H. 94, Second Special Session 1957, as amended, and in the state use tax act levied in Section 787 through Section 811 and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof.

Section 2. Such special county taxes, together with the interest and penalties imposed by this Act, shall be a lien upon the property of any person, firm, or corporation due said taxes under the provisions of Act No. 176, H. 687 Regular Session 1957 and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State, shall apply fully to the collection of the special county taxes levied under Act No. 176, H. 687, Regular Session 1957. Such special county taxes shall constitute a debt due Bullock County, and may be collected by civil suit in addition to the methods provided by law or herein otherwise provided.

Section 3. Such special county taxes levied shall be collected by and be paid to the Court of County Commissioners of Bullock County or to its officially designated agent. All reports required to be made to the commissioner of revenue of the State of Alabama with respect to sales and use taxes under the aforesaid Act No. 100 H. 94, Second Special Session 1959, as amended, and under Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, as to taxes levied therein shall also be made to the Court of County Commissioners of Bullock County or to its officially designated agent. As to such special county taxes levied, the Court of County Commissioners shall have and exercise the same powers, duties, and obligations as are imposed on the state commissioner of revenue by Act No. 100, H. 94, Second Special Session 1959, as amended and by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, as to state taxes therein levied.

Section 4. The Court of County Commissioners shall pay out of said taxes all clerk hire and other expense incurred in the collection, handling, and disbursing of said moneys. Each person or party paying any special county tax under Act No. 176, H. 687, Regular Session 1957 shall be authorized to deduct from the remittance three percent of the amount of such tax for reimbursement for the expense of collecting and reporting such tax.

Section 5. The special county taxes levied pursuant to said Act, which are in addition to all other licenses and taxes levied by law, shall be a condition precedent to engage in any business taxable under said Act.

Section 6. Such special county taxes shall be due and collectable at the times and manner and as set out in the aforesaid Act No. 100, H. 94, Second Special Session 1959, as amended and in Article 11, Chapter 10, Code of Alabama 1940, as amended, and all of the methods and provisions given to the State as to the collection of state taxes under the provisions of said Act and statutes shall be given to Bullock County as to the special county taxes levied in said county. Each taxpayer may comply with the provisions of this Act by filing with the Court of County Commissioners of Bullock County of its officially designated agent, a copy of the report made by him to the commissioner of revenue of the State of Alabama, and by paying to said Court of County Commissioners of Bullock County or its officially designated agent the amount of tax due according to the percentages computed as required by Act No. 176, H. 687, Regular Session, 1957 without making other reports or payments.

Section 7. This Act is intended to implement and supplement Act No. 176, H. 687, Regular Session 1957, but all other Acts in conflict herewith are hereby repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective on the first day of the month next after its date of enactment.

**STATE OF ALABAMA,
BULLOCK COUNTY**

Before me, R. E. L. Cope, Jr., a Notary Public, in and for said State and County, personally appeared W. D. Garner, Sr., Publisher of the Union Springs Herald, a newspaper published at Union Springs, Bullock County, Alabama, who being duly sworn states on oath that A Bill To Be Entitled An Act, a true copy of which is attached hereto, was published in said newspaper for 4 consecutive weeks, in its issues of July 8, 1965, July 15, 1965, July 22, 1965, July 29, 1965.

W. D. GARNER, SR.,
Publisher.

Sworn to and subscribed before me this 29 day of July 1965.

R. E. L. COPE, Jr.,
Notary Public.

Also:

By Mr. Holladay:

H. 1201. To apply only in counties having populations of not less than 24,800 nor more than 25,400, according to the most recent federal decennial census; regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of such counties.

Also:

By Mr. Pruitt:

H. 1194. Proposing an amendment to the Constitution of Alabama relating to Sumter County, and ordering an election thereon.

Also:

By Mr. Pruitt:

H. 1193. Proposing an amendment to the Constitution of Alabama relating to Livingston in Sumter County, and ordering an election thereon.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF SUMTER**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Proposing an amendment to the Constitution of Alabama relating to Livingston in Sumter County, and ordering an election thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid when approved and proclaimed as provided by law:

Proposed Amendment

"Any provision of the Constitution or laws of the State of Alabama to the contrary notwithstanding, the municipality of Livingston in Sumter County shall have full and continuing power and authority, after an election held in accordance herewith, to do any one or more of the following:

"1. To purchase, construct, lease, or otherwise acquire real property, plants, buildings, factories, works, facilities, machinery and equipment of any kind.

"2. To lease, sell for cash or on credit, exchange, give and convey any such property described in subdivision 1 above, to any person, firm, association or corporation.

"3. To promote local industrial, commercial or agricultural development and the location of new industries or businesses therein.

"4. To become a stockholder in any corporation, association or company.

"5. To lend this credit or to grant public moneys and things of value in aid of, or to, any individual, firm, association, or corporation whatsoever.

"6. To become indebted and to issue and sell interest bearing bonds, warrants (which may be payable from funds to be realized in future years), notes or other obligations or evidences of indebtedness, to a principal amount not exceeding fifty percent of the assessed value of taxable property therein as determined for state taxation, in order to secure funds for the purchase, construction, lease or acquisition of any of the property described in subdivision 1 above or to be used in furtherance of any of the other powers or authorities granted in this amendment. Such obligations or evidences of indebtedness may (in addition to any pledge or pledges authorized by subdivision 8 of this amendment) be issued upon the full faith and credit of the municipality of Livingston, or may be limited as to the source of their payment.

"7. To levy and collect annually, in addition to all other taxes now authorized or permitted, a special tax or taxes of not exceeding two percent on the value of all taxable property therein as determined for state taxation, in the same manner as other county or municipal taxes are levied and collected. Such tax may be upon all property in the municipality of Livingston in Sumter County, or upon all property in any district the boundaries of which the governing body of such municipality shall describe and which it shall determine to be specially improved and benefited by any proposed use or expenditure of the proceeds of such tax.

"8. To pledge to the payment of any bonds, warrants, notes or other obligations or evidences of indebtedness the annual proceeds from any such special tax or taxes and to obligate itself irrevocably to continue to levy and collect such taxes annually until such obligations or evidences of indebtedness are paid in full and to pledge thereto any rental or sales proceeds of property leased or sold by it.

"9. To create a public authority or corporation having such powers, managed and governed by such board or governing body, and subject to such limitations as the governing body of the municipality of Livingston in Sumter County may impose, by approving and filing a certificate to that effect in the office of the judge of probate or the Secretary of State, or their respective successors in function, and to delegate to such public authority or corporation and its board or governing body all powers and authority conferred in this amendment upon the municipality.

"The recital in any bonds, warrants, notes or other obligations or evidences of indebtedness that they were issued pursuant to this amendment or that they were issued to provide funds to be used in furtherance of any power or authority herein authorized or that any special tax herein authorized has been pledged to the payment thereof shall be conclusive; no purchaser or holder thereof need inquire further; and the levy and collection of such tax shall continue until the principal of and interest on such obligations or evidences of indebtedness shall have been paid in full. The bonds, warrants, notes or other obligations or evidences of indebtedness issued hereunder shall not be considered an indebtedness of the municipality of Livingston in Sumter County for the purpose of determining the borrowing capacity of the county under Section 225 of the Constitution; and the taxes herein authorized shall be in addition to those provided for or permitted in Section 216 of the Constitution and all amendments thereto.

"This amendment shall be self-executing; but the legislature shall have the right and power by general, special or local act to adopt laws supplemental to this amendment or in furtherance of the purposes and objectives hereinabove set forth.

"10. The municipality of Livingston in Sumter County shall not make any engagement or commitment or undertake any project under the provisions hereof unless and until the proposition has been approved by a majority of the qualified electors of the municipality. The governing body of the municipality may provide for holding such election, but in no case shall an election be held until notice of the election and of the proposition to be voted on has been published for at least three successive weeks."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Sumter County Journal, a Newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 8, July 15, July 22, and July 29, all in the year 1965.

DICK SMITH.

Sworn to and subscribed before me this 30th day of July, 1965.

LOUISE W. HANLEY,
Notary Public.

Also:

By Messrs. Reynolds and Pennington:

H. 1213. To repeal as to all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, Act No. 344, S. 10, Regular Session 1951, entitled "An Act To provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not more than 400,000 inhabitants according to the last or any succeeding Federal Census; to provide for the claiming of statutory exemptions on such property; and to provide penalties for failure to comply with the provision of this Act."

Also:

By Mr. Sullivan:

H. 1212. To regulate further the closing of county offices in counties having populations of not less than 21,850 nor more than 21,950 according to the most recent federal decennial census.

Also:

By Mr. Saiter:

H. 1211. Relating to all counties having populations of not less than 17,400 nor more than 17,800 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1186, 1173, 1187, 1192, 1206, 1205, 1174, 1201, 1194, 1193, 1213, 1212 and 1211. To the Committee on Local Legislation.

(The above numbered Bills, H. B.'s 1194 and 1193, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Edgington, Engel, McDermott, Hogan, Jones (Covington), Jones (Monroe), Smith, Rogers, Nettles and Brewer:

H. J. R. 139. WHEREAS, Representative Clara Stone Collins of Mobile, Alabama's only lady legislator, is an active member of the Order of Women Legislators; and

WHEREAS, Representative Collins was elected Recording Secretary of the Order of Women Legislators in Convention assembled in Puerto Rico in November, 1964; and

WHEREAS, It is to the best interest of the State of Alabama and this Legislature to be represented on the Executive Board of this national organization, and at its conventions.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That Representative Clara Stone Collins be commended on her election as Secretary of the Order of Women Legislators; and

BE IT FURTHER RESOLVED That Representative Clara Stone Collins be appointed as Alabama's official delegate to the Order of Women Legislators Conventions of 1965 and 1966, with her ordinary and necessary expenses incurred in attending these two conventions being reimbursed from the funds appropriated to the use of the Alabama Legislature, upon certificate of the Clerk of the House.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Rules were suspended and the Resolution, H. J. R. 139, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 483. To change the method of compensating certain officers of Madison County; placing such officers on a salary basis; providing for their assistants and the office equipment, supplies, services, and material necessary for conducting the business of their respective offices.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Roberts, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 483, the title of which is set out in the foregoing Message from the House, to-wit:

Substitute for S. B. 483

A BILL TO BE ENTITLED AN ACT

To change the method of compensating certain officers of Madison County; placing such officers on a salary basis; providing for their assistants and the office equipment, supplies, services, and material necessary for conducting the business of their respective offices.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Madison County and the tax collector of said county shall each receive an annual salary of sixteen thousand five hundred dollars (\$16,500), which shall be in lieu of all other compensation provided by law, including the fees and commissions for assessment or collection of municipal taxes.

Section 2. The tax assessor of Madison County and the tax collector of said county shall each appoint his own clerks and assistants, and fix their compensation, which shall be paid from the county treasury at the times and in the manner provided for the payment of salaries of county employees. The total compensation of all such clerks and assistants for

the tax assessor shall be not less than \$30,000 nor more than \$60,000 per annum; and the total compensation of all such clerks and assistants for the tax collector shall be not less than \$30,000 nor more than \$50,000 per annum.

Section 3. All fees, commissions, allowances, percentages, charges, and costs, including fees and commissions for assessing municipal taxes, heretofore collected for the use of the tax assessor or the tax collector of Madison County shall be collected hereafter for the use of the county and shall be paid into the general fund of the county. The compensation of the tax assessor and tax collector provided for in this Act shall be their entire compensation for the performance of the duties of their respective offices.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Madison County shall provide the tax assessor and the tax collector with the necessary books, stationery, office equipment, supplies, postage, telephone service, and other conveniences and equipment as may be necessary for the proper and efficient conduct of the affairs of their respective offices.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. The substantive provisions of this Act shall become effective October 1, 1967; provided, however, the court of county commissioners, board of revenue, or other like governing body of Madison County may, in their discretion, provide for the payment of the salaries of clerks and assistants to such officers February 28, 1967.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Pickens)
Adams	Gilchrist	McCain	Shelton
Allen	Givhan	McDow	Smith
Bentley	Hawkins	Nichols	Taylor
Clark	Hornsby	Oden	Tyson
Dumas	James	Roberts	Wilson
Eddins	Lolley		

—25

Nays:

—0

MOTION TO RECESS LOST

At 2:40 P. M., Mr. Horton moved that the Senate take a recess until 3:40 this afternoon, which motion was lost.

BILLS ON THIRD READING RESUMED

The Bill:

S. 459. To provide for establishment and operation of a state tuberculosis sanatorium in Jackson County on the site of the abandoned highway convict camp at Scottsboro, and making an appropriation for that purpose.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL 459

Amend Senate Bill 459 by striking the last seven words in the title ("and making an appropriation for that purpose"), deleting the comma after the word "Scottsboro" and inserting in lieu thereof a period after the word "Scottsboro".

Further amend said bill by striking in its entirety Section 4.

Also, further amend said bill by changing the number of "Section 5" to read "Section 4".

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Hornsby	Oden
Allen	Eddins	Horton	Reynolds
Bentley	Evans	James	Roberts
Brannan	Gilchrist	Lolley	Robison (Pickens)
Carter	Givhan	McDow	Shelton
Clark	Hammond	Metcalf	Taylor
Cooper	Hawkins	Montgomery	Wilson

—27

Nays:

—0

And said Bill, S. B. 459, as amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	James	Oden
Allen	Evans	Lolley	Reynolds
Bentley	Gilchrist	Mathews	Roberts
Brannan	Givhan	McCain	Robison (Pickens)
Carter	Hammond	McDow	Shelton
Clark	Hawkins	Metcalf	Taylor
Cooper	Hornsby	Montgomery	Wilson
Dumas	Horton		

—29

Nays:

—0

The Bill:

H. 442. Relating to the Inferior Court of Geneva County: withdrawing and taking away the equity jurisdiction of the court, and providing for transfer of pending cases.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Pickens)
Allen	Hammond	McCain	Shelton
Brannan	Hawkins	McDow	Smith
Clark	Hornsby	Metcalf	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson
Eddins	Lolley		

—25

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Metcalf, further consideration of the Bill, S. B. 182, was indefinitely postponed by the Senate.

On motion of Mr. Roberts, further consideration of the Bill, H. B. 514, was indefinitely postponed by the Senate.

On motion of Mr. Robison (Montgomery), further consideration of the Bill, H. B. 567, was indefinitely postponed by the Senate.

On motion of Mr. Allen, further consideration of the Bill, H. B. 806, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 511. To provide a clerk hire allowance for the judges of probate of all counties having populations of not less than 26,000 nor more than 27,000, according to the most recent federal decennial census.

was taken up.

Mr. Reynolds offered the following amendment to the Bill, to-wit:

Amendment to S. B. 511

Amend Section 1 of said bill by adding at the end of said Section 1 the following:

"The allowance for clerk hire herein provided shall not be paid after Dec 31, 1970."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Montgomery)
Adams	Givhan	McDow	Shelton
Bentley	Hawkins	Metcalf	Smith
Carter	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins	Mathews		

—25

Nays:

—0

And said Bill, S. B. 511, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Montgomery)
Adams	Givhan	McDow	Shelton
Bentley	Hawkins	Metcalf	Smith
Carter	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins	Mathews		

—25

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Reynolds, further consideration of the Bill, S. B. 513, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 512. To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 26,000 nor more than 27,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McCain	Roberts	
Allen	Hammond	McDow	Robison (Pickens)	
Brannan	Hawkins	Metcalf	Smith	
Carter	Hornsby	Nichols	Taylor	
Clark	Horton	Oden	Tyson	
Cooper	James	Reynolds	Wilson	
Eddins	Lolley			—25

Nays:

—0

The Bill:

S. 518. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Roberts	
Adams	Evans	McCain	Robison (Montgomery)	
Allen	Gilchrist	Montgomery	Shelton	
Bentley	Hornsby	Nichols	Smith	
Brannan	Horton	Oden	Taylor	
Carter	James	Reynolds	Tyson	
Cooper	Lolley			—25

Nays:

—0

The Bill:

S. 520. To provide for payment of an allowance for the use of the chairman or presiding judge of the Court of County Commissioners of Wilcox County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Horton	Robison (Montgomery)
Adams	Evans	Mathews	Shelton
Allen	Gilchrist	McDow	Smith
Brannan	Givhan	Montgomery	Taylor
Clark	Hammond	Nichols	Tyson
Cooper	Hawkins	Oden	Wilson
Dumas	Hornsby		

—25

Nays:

—0

The Bill:

S. 540. To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McDow	Robison (Pickens)
Bentley	Hammond	Metcalf	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	James	Nichols	Taylor
Cooper	Lolley	Oden	Tyson
Dumas	Mathews	Roberts	Wilson
Eddins	McCain		

—25

Nays:

—0

The Bill:

S. 541. To confer discretionary authority upon the Board of Commissioners of Madison County to appropriate from the general funds of the county sums of money, not to exceed five hundred dollars, for the payment of certain equitable and moral claims against the county, as the board may from time to time determine.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Hawkins	McDow	Smith
Bentley	Hornsby	Metcalf	Taylor
Brannan	Horton	Montgomery	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

S. 535. Relating to branch banking in counties having a population of not less than 36,600 nor more than 37,600.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	James	Oden
Adams	Evans	McCain	Roberts
Allen	Gilchrist	McDow	Robison (Pickens)
Bentley	Givhan	Metcalf	Shelton
Carter	Hammond	Montgomery	Tyson
Cooper	Hornsby	Nichols	Wilson
Dumas	Horton		

—25

Nays:

—0

The Bill:

S. 532. To extend the boundaries of the City of Selma in Dallas County.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amendment to S. B. 532

In Section 1 of the bill add at the end thereof the following paragraph:

Area No. 4—Beginning at the southwest corner of Tract 27, according to the map of the Kopecky Lands Subdivision recorded in Map Book 1, at Page 157, in the Probate Office of Dallas County, Alabama; thence run in a southeasterly direction on a projection of the west line of said Tract 27 for 60 feet to the south margin of the Old Orrville Road; thence run South 55 degrees 41 minutes West along the south margin of the Old Orrville Road and on a continuation of said line to its intersection with the west margin of the Land Line Road; thence run in a northwesterly direction along the west margin of the Land Line Road to the southeast corner of Lot 6, according to the map of Fairforest Subdivision recorded in Map Book 3, at Page 34, in said Probate Office; thence run South 71 degrees 19 minutes West along the south line of said Lot 6 to the southwest corner of said Lot; thence run North 19 degrees 56 minutes West to the northwest corner of Lot 4 of the Fairforest Subdivision; thence run South 71 degrees 19 minutes West along the south margin of Fairforest Drive, according to said map, for 162.3 feet; thence run North 12 degrees 10 minutes West along the west extremity of Fairforest Drive and the west boundaries of Lots 3, 2, and 1, according to said map, for 767.4 feet to the north line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 16 North, Range 10 East; thence run east along said line for 822 feet, more or less, to a point on a line drawn 330 feet east of and parallel to the center-line of Land Line Road; thence run in a southerly and southeasterly direction along said parallel line to a point on a line drawn 530 feet north of and parallel to the center-line of the Old Orrville Road; thence run in a northeasterly direction along said line parallel to the Old Orrville Road to the west line of Tract 27, according to the said map of the Kopecky Land Subdivision; thence run in a southeasterly direction along the west margin of said Tract 27 to the north margin of the Old Orrville Road, the point of beginning.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McDow	Roberts
Adams	Givhan	Metcalfe	Robison (Montgomery)
Carter	Hawkins	Montgomery	Robison (Pickens)
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

And said Bill, S. B. 532, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McDow	Roberts
Adams	Givhan	Metcalfe	Robison (Montgomery)
Carter	Hawkins	Montgomery	Robison (Pickens)
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

S. 530. To amend Section 2 of Act No. 18, H. 6, First Special Session 1955, an act creating the Cullman County Commission on Education.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Montgomery)
Allen	Gilchrist	McDow	Shelton
Brannan	Givhan	Metcalfe	Smith
Carter	Hammond	Montgomery	Taylor
Clark	Hawkins	Reynolds	Tyson
Cooper	Lolley	Roberts	Wilson
Dumas	Mathews		

—25

Nays:

—0

The Bill:

S. 529. Relating to Bullock County; fixing the terms of office of the members of the court of county commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Robison (Pickens)	
Adams	Hawkins	McDow	Shelton	
Bentley	Hornsby	Metcalf	Smith	
Clark	Horton	Nichols	Taylor	
Cooper	James	Reynolds	Tyson	
Dumas	Lolley	Robison (Montgomery)	Wilson	
Eddins	Mathews			—25

Nays:

—0

The Bill:

H. 903. To provide an expense allowance for each circuit judge of all judicial circuits, composed of only one county, which has a population of not less than 48,020 nor more than 49,750 according to the most recent federal decennial census, when the circuit judge is ex officio judge of the juvenile court; and to provide for the payment of such expense allowance out of the general fund of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Pickens)	
Adams	Gilchrist	Metcalf	Shelton	
Allen	Givhan	Montgomery	Smith	
Carter	Hawkins	Nichols	Taylor	
Clark	Horton	Oden	Tyson	
Dumas	James	Reynolds	Wilson	
Eddins	Lolley			—25

Nays:

—0

The Bill:

S. 528. To amend further Section 2 of Act No. 155, H. 296, Regular Session 1953 (Acts 1953, v. I, p. 197), an Act relating to the duties and compensation of county commissioners of Bullock County, so as to provide a mileage allowance for such commisisoners.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Mathews	Reynolds	
Adams	Evans	McCain	Roberts	
Allen	Gilchrist	McDow	Robison (Montgomery)	
Bentley	Givhan	Metcalf	Robison (Pickens)	
Brannan	Hammond	Montgomery	Shelton	
Carter	Hawkins	Nichols	Smith	
Clark	Hornsby			—25

Nays:

—0

RESOLUTIONS

The Resolution:

S. J. R. 48. Proposing an amendment to the Constitution of Alabama relating to the economic development of Madison County and the City of Huntsville.

was taken up.

Mr. Roberts offered the following amendment to the Resolution, to-wit:

AMENDMENT TO S. J. R. 48

Amend Senate Joint Resolution 48 by inserting the word "if required" between the words "election" and "as" as they appear in subsection (c) in the first sentence of the proposed amendment.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Pickens)	
Adams	Gilchrist	McDow	Shelton	
Allen	Givhan	Metcalfe	Smith	
Bentley	Horton	Nichols	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley	Roberts	Wilson	
Eddins	Mathews			—25

Nays: —0

And said Resolution, S. J. R. 48, as thus amended, was then read at length as required by the Constitution and adopted by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Pickens)	
Adams	Gilchrist	McDow	Shelton	
Allen	Givhan	Metcalfe	Smith	
Bentley	Horton	Nichols	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley	Roberts	Wilson	
Eddins	Mathews			—25

Nays: —0

BILLS ON THIRD READING RESUMED

The Bill:

S. 522. To amend further Section 1, Act No. 501, S. 399, Regular Session 1957, an act regulating the compensation of the judge of probate of Madison County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Mathews	Roberts
Adams	Evans	McCain	Robison (Montgomery)
Allen	Gilchrist	McDow	Robison (Pickens)
Bentley	Hammond	Montgomery	Smith
Brannan	Hawkins	Nichols	Taylor
Carter	Horton	Reynolds	Tyson
Clark	James		

—25

Nays:

—0

The Bill:

S. 523. To amend further Section 3, Act No. 661, H. 1077, Regular Session 1957, the act creating the Madison County Court, in relation to the compensation of the judge of said court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Roberts
Adams	Evans	McCain	Shelton
Allen	Givhan	McDow	Smith
Brannan	Hammond	Metcalf	Taylor
Carter	Hornsby	Oden	Tyson
Clark	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 966. Relating to counties having a population of not less than 25,800 nor more than 26,700 according to the most recent federal decennial census; to provide further for the selection of textbooks and instructional materials for use in the public schools in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	Montgomery	Robison (Pickens)
Brannan	Hammond	Nichols	Tyson
Clark	Hawkins	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

S. 517. Relating to counties having a population of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census; to authorize the county governing body in any such county

to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McCain	Reynolds
Bentley	Gilchrist	McDow	Shelton
Brannan	Givhan	Metcalf	Smith
Carter	Hammond	Montgomery	Taylor
Clark	Hawkins	Nichols	Tyson
Cooper	Horton	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

S. 516. Relating to counties having a population of not less than 60,500 nor more than 65,000 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Nichols
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Carter	Givhan	McDow	Shelton
Clark	Hammond	Metcalf	Smith
Cooper	Horton	Montgomery	Taylor
Dumas	James		

—25

Nays:

—0

The Bill:

H. 934. To amend Act No. 294, H. 802, of the Regular Session of 1963 (Acts of 1963, p. 755), an act creating the Commission on Government and Finance of Marshall County, so as to regulate further the purchasing, handling, use and sale of county-owned property, the leasing, renting or hiring by the county of property, and the keeping of records relative thereto; and to prescribe penalties.

was taken up.

Mr. Carter offered the following substitute for the Bill, to-wit:

SUBSTITUTE TO HOUSE BILL 934

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 294, H. 802, of the Regular Session of 1963 (Acts of 1963, p. 755), an act creating the Commission on Government and Finance of Marshall County, so as to regulate further the purchasing, handling, use and sale of county-owned property, the leasing, renting or hiring by the county of property, and the keeping of records relative thereto; and to prescribe penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 2, 5, 7, 9, 10, 11, 12, 13 and 15 of Act No. 294, H. 802, of the Regular Session of 1963 (Acts of 1963, p. 755), an act creating the Commission on Government and Finance of Marshall County, are hereby amended to read as follows:

"Section 2. The incumbent chairman (probate judge ex officio) and associate members of the Board of Revenue and Control of Marshall County shall serve as chairman and associate members of the Commission on Government and Finance of Marshall County until their successors are elected and qualified as herein prescribed. At the general election to be held in November 1966 and every four years thereafter the chairman of the commission shall be elected by the qualified voters of the county at large and the associate members of the commission shall be elected by the qualified voters of their respective districts. No person shall be eligible to election as chairman of the Commission or qualified to serve as such unless he is a qualified elector of the county who shall have been graduated from high school before he assumes the duties of the office. The chairman may reside in any precinct or district of the county. Each associate member shall be a resident and qualified elector of one of the districts established by Section 3 of this Act and shall continue to reside therein during the term of office for which elected. The chairman and associate members of the commission shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified. In the event of a vacancy on the commission, the vacancy shall be filled by appointment by the Governor for the unexpired term.

"Section 5. Except as otherwise provided in this act, the Commission on Government and Finance of Marshall County shall have all the jurisdiction and powers which are, or which hereafter may be, vested in courts of county commissioners or other like county governing bodies by the general laws of the State, or vested in the governing body of Marshall County by local law; and the members of the commission shall perform all the duties and services and exercise all the powers which are, or which hereafter may be provided by law for members of courts of county commissioners or other like county governing bodies, or for members of the governing body of Marshall County. It shall be the duty of the commission to provide for the marking in the manner hereinafter prescribed of all vehicles and road-building machinery and equipment owned or leased by Marshall County. All such vehicles owned by the county shall be plainly marked, in the most conspicuous place, in letters not less than three inches high as follows: PROPERTY OF MARSHALL COUNTY—DIST. NO. _____ (1, 2, 3 or 4, as the case may be). All such vehicles held by the county under a lease-sale contract or a contract for the rental or hire thereof shall be marked, in the most conspicuous place and in letters not less than three inches high, as follows: UNDER LEASE OR RENTAL CONTRACT BY MARSHALL COUNTY—DIST.

NO. _____ (1, 2, 3, or 4, as the case may be). The commission by majority vote may appoint a chief clerk to the commission. The commission may appoint as many assistant clerks as are necessary for the convenient and orderly transaction of its business, and the annual total salaries for such employees may not exceed \$13,000.

"The commission shall not issue any tax anticipation warrants, revenue bonds or other evidences of temporary loans until a public hearing relative to the issuance thereof has been held. Notice of each hearing must be given by publication in a newspaper published in Marshall County at least seven days before such hearing and also by posting upon the bulletin board described in Section 12 of this Act.

"Section 7. The chairman of the commission shall receive a salary of \$6,600 per annum and \$1,200 per year expenses. Each associate member shall receive a salary of \$6,000 per annum and \$1,200 per year as expenses. In addition, the chairman and associate members shall each be reimbursed actual expenses for travel on official business outside the county. The compensation and expenses of the chairman and commissioners shall be payable monthly out of the general funds of the county or out of the gasoline tax or fuel tax monies appropriated to the county. It is provided, however, that the chairman and each associate member of the commission shall be furnished, at the expense of the county, a pickup truck or a low-cost passenger car without radio or air conditioning to be used by such members in carrying out their duties of office. Such vehicles shall be plainly marked as county vehicles as prescribed in Section 5 of this Act and shall not be used for personal business or pleasure. As compensation for the services required of him by this Act, the judge of probate shall be paid a salary of \$100.00 per month, as temporary chairman, payable monthly, out of the general fund of the county or out of any monies belonging to the road and bridge fund of the county or out of the gasoline or motor fuels tax monies appropriated to the county, which shall be in full payment of all compensation to be paid to him for such services.

"Section 9. It shall be the duty of each associate member of the commission from the four districts of the county, in each September, to file for record with the commission a sworn statement and inventory of all equipment, machinery, and property of the county in his custody or under his control. Such statement and inventory shall be entered in full in the minutes of the first regular meeting of the commission in December of each year, and shall also be published verbatim in a newspaper having general circulation in the county. The use of any county equipment, materials, or supplies or property of any nature in the custody of or under control of the commission or any member thereof, for any kind of work, job, or project on property not owned by the county (excepting church grounds, cemeteries, public school property, property owned by organizations composed entirely of U. S. war veterans) or on property outside the county, or the authorization of such work by the commission or by any member of the commission, shall result in forfeiture of office and removal by impeachment of such member or members and in addition thereto such member or members shall forfeit the penal sum of \$5,000 to be covered by suit brought by any qualified elector of the county, one-half for use of such elector and one-half for use of the county.

"Section 10. No work shall be authorized or performed by the commission or any member of the commission for any municipality of the county having a population of more than 750 persons requiring the use of county equipment, materials, supplies or labor, unless such work is first authorized pursuant to a written contract between the municipality and the commission under which the municipality agrees to pay the full cost of labor, materials, and supplies so used in such work. Any

contract so agreed upon must be approved at a regular meeting of the commission and signed by at least a majority of the members of the commission including the chairman; and the contract so executed shall be entered in full, word for word, in the minutes of the meeting at which it is adopted.

"Chert, dirt or gravel taken from county-owned property or leased property may be loaded by county equipment and sold to municipalities, licensed contractors, and individuals, if, by resolution adopted at a regular meeting the commission so elects, and charges for the material shall be made at current market rates in addition to current market rates for the loading. One member of the commission shall at all times be charged with the duty of making and handling such sales and loadings and the keeping of accurate records thereof. The member to perform this duty shall be designated by a majority vote of the commission. He shall at each regular meeting of the commission make a complete report of all sales and loadings of chert, dirt, or gravel made by him during the preceding week, showing the amount of each sale, the type of material sold, the total monies received because of each sale, the name of each purchaser and also the current price per unit of materials sold and the current rate of the charge for loading same. Each such report shall be entered in full in the minutes of the meeting.

"Section 11. The Commission on Government and Finance shall make all purchases for all county offices herein named in the manner herein prescribed, except the effective date for the beginning of purchases by the commission for the office of Sheriff shall be at the expiration of the present term of office of the sheriff or at the beginning of the newly elected sheriff's term of office in January, 1967. All purchases of equipment and supplies required by the respective offices of judge of probate, sheriff, register of the circuit court, clerk of the circuit court, tax collector, tax assessor and commission on government and finance, and all purchases of all supplies, materials, appliances, equipment, machinery, tools, lumber, dynamite, grease, gasoline, fuel oil, cylinder oil, motor oil, cement, crushed stone, rock, sand, gravel, asphalt, graders, tractors, trucks, automobiles, rollers, terracing machines, rock crushers, culvert pipe, and all other road machinery, road building appliances, equipment and materials used by any member of the commission in his district, or by the commission as a whole, or by the county or any officer or agent of the county, except the county board of education, and also supplies of any kind or description, materials, appliances, equipment, fuel and coal for the county courthouse, jail or any other county building and any county offices, shall be made only by purchase order which shall not be valid unless signed by the chairman and all four members of the commission if such purchase shall be in an amount less than \$300, except as otherwise specifically provided in Section 15 of this Act. No used or secondhand trucks or road machinery shall be purchased for the county, nor shall any purchase be made or any contract of sale or lease-sale or for the leasing, renting or hiring of any vehicles or other equipment be entered into unless the contractor certifies that the sale price or the hire or rental fee, as the case may be, charged Marshall County will not exceed the like charge made by him to other counties for like equipment, or its use, during the year in which the contract with Marshall County is made. If any such seller or lessor, during such period sells or leases any like equipment to another county, then Marshall County shall be entitled to be reimbursed the difference between the price it paid for such equipment or its use and the lowest charge made to another county by such seller or lessor for like equipment or its use; and in addition thereto to punitive damages in the sum of \$1,000, all of which may be recovered by the county in a proper action at law. Any dealer or seller who sells trucks, tractors, or any road building machinery or equipment to Marshall County representing the same to be new,

when, in fact, it is used or secondhand equipment shall be guilty of fraud, and, in addition to being subject to the penalty prescribed therefor by law, shall also be liable to the county for any damages caused by delays in work because of the fact that such trucks, tractors or other machinery or equipment was not new and shall also reimburse the county for the whole or any part of the purchase price paid by the county therefor. If there is a balance due on the purchase price when the fraud is discovered the county shall not be liable for the payment thereof, and may retain such truck, tractor or other machinery and equipment until it is reimbursed the part of the purchase price theretofore paid and reimbursed for the damages for which such seller or dealer is liable under the above provisions of this section because of the fraud.

"Section 12. Any purchase order of \$300 or more shall be made on the basis of competitive bidding in the manner herein prescribed. Such orders of the commission shall specify the article or articles to be purchased, the number or quantity thereof, and shall contain a specification and description thereof sufficient to enable the chairman to give the notice hereinafter required requesting bids for such article or articles. Such purchase orders shall not be valid unless signed by all five members of the commission. Within two days after such order of the commission the chairman shall post upon a bulletin board to be situated immediately outside the entrance to the commissioners' office and in the hallway of the courthouse a notice, called a purchase notice, which shall state that the commission has ordered the purchase of the article or articles described in the order of the commission, for delivery at a place or places to be specified in said notice, and that sealed bids therefor will be received by the commission during the seven days immediately succeeding, unless the commission in its order provides that a longer time be specified as the time within which bids will be received. The commission shall furnish to a newspaper published in Marshall County, to be published therein as a legal advertisement paid for at the usual rate by the County, a notice or advertisement stating that sealed bids will be received on a specified date at the office of the commission for the article or articles or services described in the order of the commission. The notice shall also state that complete specifications and description of the article or articles or service or services to be purchased are available at the office of the commission or on the bulletin board outside the commissioners' office. In sending such advertisements to the newspapers the commission shall take care that each newspaper published in the county gets a fair share of publishing of such notices and to this end a system of rotation shall be established whereby all newspapers published in the county will be patronized. All purchase notices shall be numbered consecutively and shall be made out in duplicate, and one copy thereof shall be retained as a permanent record and shall contain a certificate of the chairman as to the date of the posting of one of the copies thereof upon the bulletin board and of the furnishing of the required notice to a newspaper and the name of the newspaper to which such notice was furnished. At the expiration of the time for receiving bids, the chairman shall deliver all sealed bids unopened to the commission at its next meeting, and thereupon the commission shall open the bids and award the purchase to the lowest responsible bidder and order the chairman to issue a purchase order thereon; or, the commission may reject all bids and invite new bids in the manner herein provided. The names of all bidders, the amounts bid, a complete description or itemization of items bid on, and the terms of the bid shall be listed; and a copy of such list published in a newspaper published in Marshall County. The newspapers entitled to carry such publication shall be rotated in the manner hereinabove prescribed and the county shall pay for such publications at the customary rate for legal advertisements. All purchase orders shall be numbered consecutively and shall be made out in triplicate, and shall state the number of the purchase notice pertaining

thereto, and shall contain a description of the property to be purchased, the price therefor, the place where delivery is to be made, and such other matter as the commission may prescribe. One copy of said purchase order shall be delivered to the seller and one copy thereof shall be forwarded to the commissioner who in behalf of the county is to receive the property purchased, and the other copy shall be retained with the records of the commission. The commissioner who is to receive the property purchased in behalf of the county shall upon receipt thereof, endorse upon the copy of the purchase order forwarded him, upon a form to be prescribed by the commission, the facts as to whether or not all of the property described in said purchase order was received by him, and as to the condition in which the same was received, and shall deliver said copy to the chairman within five days after the receipt of the property involved. Every claim filed against the county for the purchase price or value of any of the goods or articles hereinabove specified, shall state the number of the purchase order pertaining to said claim. No claim for payment of the purchase price of road machinery and/or equipment shall be paid unless the machinery and/or equipment purchased shall have been personally inspected by the chairman and each member of the commission before its acceptance on behalf of the county. Neither the chairman nor the commission shall have authority to accept any bid, unless at the time of accepting the same, funds for the purchase of the item or items or service or services covered by the bid have theretofore been budgeted and allotted therefor in the county budget.

"Section 13. Hereafter all lease-sale contracts and contracts for the rental or hire of any of the property mentioned in Sections 11 and 12, when the amount involved is \$300 or more, shall be let on a competitive bid basis in the same manner prescribed for purchasing in Section 12. The order of the commission shall specify the article or articles to be bought on a lease-sale contract or to be leased, rented or hired, the notice shall be posted and published, and bids opened, and the list of bids published all in the same manner prescribed for purchases in said Section 12.

"No lease-sale contract, or contract for the rental or hire of any of the property mentioned in Sections 11 and 12, when the amount involved is less than \$300, shall be made by the commission or any member thereof unless such contract be authorized by resolution or order of the commission made at a regular meeting of the commission and entered on its minutes, which resolution or order shall be made only upon the favorable vote of four of the members of the commission; and such order or resolution shall not be valid unless signed by not less than four of such members. Such order or resolution of the commission must have been passed before the delivery of the property involved and otherwise shall be void. No lease-sale contract or contract for the rental or hire of any used or secondhand trucks, tractors or road machinery shall be entered into on behalf of the county.

"Any and all lease-sale contracts, or contracts for the rental or hire of any such property not made in conformity with the foregoing provisions shall be null and void; and it shall be unlawful for a warrant to issue in payment of the rental or hire or use of any such property except under and by virtue of an express contract made as provided in this section.

"Any dealer or seller of trucks, tractors, or other type of road building machinery or equipment who sells under a lease-sale contract or leases, rents or hires any truck, tractor, or road building machinery of any kind to Marshall County, representing the same to be new when, in fact, it is used or secondhand, shall be guilty of fraud, and in addition to the punishment prescribed by law therefor shall also be liable to the county for any damages caused by delays in work because of the fact

that such trucks, tractors or road building equipment was not new and shall also reimburse the county for any rental or hire theretofore paid by the county for the use of such trucks, tractors or other road building equipment.

"Section 15. Each member of the commission shall have authority in emergencies, and in cases where work on the roads within his district would otherwise be unduly delayed, to purchase such materials and equipment as may be needed to properly perform the work on the roads within his district without order of the board, and without compliance with the provisions of Section 11 of this Act; provided that the cost of any such material or equipment purchased shall be reasonable and shall not exceed the sum of \$100.00 in any instance. Each member of the commission shall likewise have authority to have any road machinery or equipment used on the public roads within his district repaired without an order of the commission authorizing the same, provided that the county shall not be liable in any event for more than the reasonable cost of any such repairs, any agreement of any member of the commission to the contrary notwithstanding. Each member of the commission making a purchase under the provisions of this section shall make out a purchase order in triplicate which shall state the property purchased, the price therefor and from whom purchased, and the number of his district, and all such purchase orders shall be numbered consecutively, and one copy thereof shall be delivered to the seller, one shall be filed with the records of the commission, and one shall be retained by the member of the commission issuing the same, and all claims against the county on account of any such purchase shall state the number of the district for which such property was purchased and the number of the purchase order pertaining thereto. No purchase order shall be signed in blank or in advance of the purchase, or in anticipation of a future need. All claims for payments for purchases hereunder shall be null and void unless such purchase order shall have been duly issued, and signed by the commissioner making the purchase and the chairman."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McCain	Robison (Pickens)
Adams	Evans	McDow	Shelton
Allen	Gilchrist	Metcalf	Smith
Bentley	Hornsby	Montgomery	Taylor
Carter	Horton	Nichols	Tyson
Cooper	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Bentley	Dumas	Gilchrist
Adams	Carter	Eddins	Hornsby
Allen	Cooper	Evans	Horton

James	Metcalf	Robison (Pickens)	Taylor	
Lolley	Montgomery	Shelton	Tyson	
McCain	Nichols	Smith	Wilson	
McDow	Oden			—25

Nays: —0

The Bill:

H. 922. To confer upon the circuit solicitor and other solicitors in all counties having a population of not less than 96,000 nor more than 116,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal and breach of peace cases in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts	
Adams	Gilchrist	McCain	Robison (Montgomery)	
Allen	Givhan	McDow	Robison (Pickens)	
Bentley	Hawkins	Nichols	Taylor	
Cooper	Horton	Oden	Tyson	
Dumas	James	Reynolds	Wilson	
Eddins	Lolley			—25

Nays: —0

The Bill:

H. 865. Relating to counties having populations of not less than 55,000 nor more than 60,000, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McDow	Robison (Pickens)	
Brannan	Givhan	Metcalf	Shelton	
Carter	Hawkins	Montgomery	Smith	
Clark	Hornsby	Nichols	Taylor	
Cooper	Horton	Oden	Tyson	
Dumas	James	Reynolds	Wilson	
Eddins	Lolley			—25

Nays: —0

The Bill:

H. 660. Relating to the employees' pension and retirement fund of the City of Mobile; amending Section 471 of Title 62, Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hammond	Metcalf	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Tyson
Clark	Horton		

—25

Nays:

—0

The Bill:

H. 564. Relating to the City of Mobile Pension and Relief System for City Police and Fire Department members; amending Section 8 of Act No. 243 of the First Special Session of 1964; Acts of Alabama, 1964, p. 326.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hammond	Metcalf	Taylor
Clark	Hawkins	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 413. To alter, rearrange and add to the limits of the Town of Satsuma, Alabama, and to describe the area added to the said limits of said Town.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Robison (Pickens)
Allen	Givhan	McDow	Shelton
Bentley	Hammond	Metcalf	Smith
Brannan	Hawkins	Nichols	Taylor
Clark	Horton	Oden	Tyson
Cooper	James		

—25

Nays:

—0

The Bill:

S. 509. To amend Section 10, of Act No. 934 approved September 9, 1961, General Acts of Alabama, 1961, Vol. II, page 1506, entitled: "To provide for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census; to more fully define the duty, authority and responsibility of the Tax Assessor of such counties in the matter of equalizing assessments of real property within such counties; to provide for the division of such counties

into districts for the purpose of tax assessment records; to require that certain records be kept and maintained on a current basis by the Tax Assessor of such counties; to describe the manner in which such records are to be kept; to provide a time within which the equalization program required herein is to be initially completed; to provide for a continuous program of appraisal of real property within such counties; to provide for the assessments of improvements to real property within such counties; to prescribe penalties for failure to assess, or properly assess, improvements to real property within such counties; to prohibit the remittance of any such penalties except as provided for by this Act; to provide for the publishing of reports of the progress of the carrying out of the provisions of the Act; to provide for a portable set of assessment records for use by appraiser appointed by the Tax Assessor; to define the duties of the Board of Equalization in such counties in the matter of the equalization of assessments of real property; to provide that no outstanding obligations against the proceeds of any tax derived from assessments of real properties in such counties shall be impaired by the provisions of this Act; to provide for appeals of any assessment made by the Tax Assessor or ruling of the Board of Equalization of such counties; to provide for the necessary personnel, supplies, materials, and equipment to carry out the provisions of this Act and to provide the manner in which personnel are to be appointed in such counties; to provide for the severability of the provisions of the Act; to repeal all laws or parts of laws in conflict with the provisions of this Act."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hammond	Metcalf	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Tyson
Clark	Horton		

—25

Nays:

—0

The Bill:

S. 514. To create the office of Supernumerary Probate Judge in each county in Alabama having a population of not less than 300,000 and not more than 500,000 according to the last or any succeeding federal census; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of compensation or salary of any county supernumerary probate judge.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McDow	Robison (Pickens)
Bentley	Givhan	Metcalf	Shelton
Brannan	Hornsby	Montgomery	Smith
Carter	Horton	Nichols	Taylor
Clark	James	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Dumas	McCain		

—25

Nays:

—0

The Bill:

H. 941. Relating to counties having populations of not less than 150,000 nor more than 400,000, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	Metcalfe	Robison (Montgomery)
Allen	Givhan	Montgomery	Smith
Bentley	Hammond	Nichols	Taylor
Cooper	Hawkins	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 148. To amend Act No. 161 approved August 2, 1957, appearing on page 210, et seq. of the Acts of Alabama for the Regular Session of 1957, as amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	McCain	Roberts
Allen	Hammond	McDow	Robison (Montgomery)
Carter	Hawkins	Metcalfe	Robison (Pickens)
Clark	Hornsby	Montgomery	Shelton
Cooper	Horton	Nichols	Tyson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 945. To create the office of commissioner of licenses in all counties in Alabama having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; to prescribe the powers, duties and authority of such commissioners; to provide for the appointment of the first commissioners and the election of their successors and for their terms of office; to provide for the compensation, quarters, supplies, equipment and assistants for such commissioners; to prescribe the oath of office and bond of commissioners and the bond of a deputy commissioner for each commissioner; to transfer to commissioners all the duties prescribed by the general law for judges of probate, tax assessors and tax collectors relative to motor vehicles and driver's licenses and the assessment and collection of ad valorem taxes on motor vehicles, and to relieve such officers respectively, of such duties; to transfer at a designated future time the duties of license inspectors for counties to which this Act applies to the commissioners and to abolish the office of license inspector for such counties; to prescribe fees, charges and commissions which must be charged and collected by commissioners for services rendered pursuant to this Act,

to provide for the distribution thereof, and require certain reports relative thereto.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Gilchrist	Mathews	Shelton
Allen	Hammond	McDow	Smith
Bentley	Hawkins	Montgomery	Taylor
Brannan	Hornsby	Nichols	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 944. Relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the microfilming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Bentley	Gilchrist	McCain	Robison (Montgomery)
Brannan	Hawkins	McDow	Robison (Pickens)
Carter	Hornsby	Nichols	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

S. 521. Relating to the Municipality of Hartselle, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lolley	Robison (Pickens)
Adams	Givhan	Mathews	Shelton
Allen	Hammond	McCain	Smith
Carter	Hawkins	McDow	Taylor
Clark	Hornsby	Metcalf	Tyson
Cooper	Horton	Montgomery	Wilson
Eddins	James		

—25

Nays:

—0

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Evans, further consideration of the Bill, H. B. 183, was postponed until the Thirty-Fourth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 553. Relating to all counties having populations of not less than 22,350 nor more than 24,350, according to the most recent federal decennial census; amending Section 1 of Act No. 288, H. 935, Regular Session 1963 (Acts 1963, p. 732).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Horton	Nichols
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Shelton
Carter	Hawkins	Montgomery	Smith
Cooper	Hornsby		

—25

Nays:

—0

The Bill:

S. 546. Relating to counties having a population of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census; to regulate further the taking of fish in the public waters of any such county; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Reynolds
Allen	Hammond	McDow	Shelton
Bentley	Hawkins	Metcalf	Smith
Brannan	Hornsby	Montgomery	Taylor
Carter	Horton	Nichols	Tyson
Clark	James	Oden	Wilson
Cooper	Lolley		

—25

Nays:

—0

The Bill:

S. 543. To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Horton	Oden
Adams	Evans	James	Robison (Montgomery)
Bentley	Gilchrist	McDow	Robison (Pickens)
Carter	Givhan	Metcalf	Shelton
Clark	Hammond	Montgomery	Smith
Cooper	Hawkins	Nichols	Taylor
Dumas	Hornsby		

—25

Nays:

—0

The Bill:

S. 548. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Mathews	Roberts
Adams	Evans	McCain	Robison (Pickens)
Allen	Gilchrist	McDow	Shelton
Bentley	Givhan	Metcalf	Smith
Brannan	Hammond	Nichols	Taylor
Carter	Hawkins	Oden	Tyson
Clark	Hornsby		

—25

Nays:

—0

The Bill:

S. 550. To provide an expense allowance for the judges of probate in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Mathews	Oden
Bentley	Hammond	McCain	Roberts
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

S. 551. To amend Section 1 of Act No. 173, H. 152, Regular Session 1961 (Acts 1961, p. 217), an act entitled "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000", so as to regulate further the per diem payable to members of such jury commissions.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Adams	Gilchrist	McCain	Roberts
Allen	Givhan	McDow	Robison (Montgomery)
Clark	Hornsby	Metcalf	Robison (Pickens)
Cooper	Horton	Montgomery	Taylor
Dumas	James	Nichols	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

S. 559. To amend Act No. 401, H. 971 of the Regular Session of 1963, an act authorizing any municipality having a population of not less than seventy thousand nor more than one hundred thirty thousand to create a planning commission having certain powers, duties, and regulations, in relation to the membership of the planning commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Mathews	Roberts
Adams	Evans	McCain	Shelton
Allen	Gilchrist	McDow	Smith
Bentley	Givhan	Metcalf	Taylor
Brannan	Hammond	Montgomery	Tyson
Carter	Hawkins	Nichols	Wilson
Clark	Hornsby		

—25

Nays:

—0

The Bill:

S. 547. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; providing for the payment by the county of per diem allowances for members of boards of registrars in such counties.

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the Bill, to-wit:

Substitute for S. 547

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census, each member of the board of registrars shall receive ten dollars per day as expenses, to be paid by the county on order of the presiding officer of the county governing body, for each day's attendance of the registrar upon the sessions of the board. The expense allowance provided for herein shall be payable from the general funds of the county and shall be in addition to the compensation of the registrars payable by the State as prescribed in Code of Alabama 1940, Title 17, Section 24 and Act No. 531, S. 101, Regular Session 1947 (Acts 1947, p. 388), as amended.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McDow	Roberts
Bentley	Hammond	Metcalf	Robison (Montgomery)
Brannan	Hawkins	Montgomery	Robison (Pickens)
Carter	Hornsby	Nichols	Shelton
Clark	Horton	Oden	Smith
Cooper	James	Reynolds	Taylor
Eddins	Lolley		

—25

Nays:

—0

And said Bill, S. B. 547, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	McDow	Roberts
Bentley	Hammond	Metcalf	Robison (Montgomery)
Brannan	Hawkins	Montgomery	Robison (Pickens)
Carter	Hornsby	Nichols	Shelton
Clark	Horton	Oden	Smith
Cooper	James	Reynolds	Taylor
Eddins	Lolley		

—25

Nays:

—0

The Bill:

S. 562. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing for the compensation of members of the jury commissions in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hornsby	Roberts
Adams	Dumas	Mathews	Robison (Montgomery)
Allen	Evans	McCain	Robison (Pickens)
Bentley	Gilchrist	McDow	Shelton
Brannan	Givhan	Metcalf	Smith
Carter	Hammond	Montgomery	Tyson
Clark	Hawkins		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 57. To levy a tax upon persons engaged or continuing within this state in the business of selling at retail any machine, machinery, or equipment used for certain agricultural purposes, and the parts of such machines, machinery, or equipment, and attachments and replacements therefor, in lieu of the sales tax levied by Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and providing for the enforcement and collection of such tax.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 227. To levy an excise tax on the storage, use or other consumption in this state of certain tangible personal property purchased at retail, in lieu of the state use tax levied by Code 1940, Title 51, Section 788, as amended, and to provide for the enforcement and collection of such tax.

JOHN W. PEMBERTON,
Clerk.

RESOLUTIONS

Mr. Tyson offered the following Senate Resolution, to-wit:

S. R. 55. WHEREAS, the strength of the free world in the Western hemisphere has been personified by the existence of the United States Naval Station at Guantanamo Bay, Cuba, and

WHEREAS, Guantanamo has become the West Berlin of this hemisphere and given new hope to all who love freedom and democracy, and

WHEREAS, Fortress Guantanamo is commanded by a brilliant and outstanding American Naval Officer in the person of Rear Admiral John D. Bukeley, who is the holder of the Congressional Medal of Honor and other high awards for heroism, and

WHEREAS, under Admiral Bulkeley's able command this base has radiated the spirit and strength of America throughout the entire Caribbean and South America areas,

NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF ALABAMA, that Admiral Bulkeley and all the Officers and men under his command, are commended for their unselfish and patriotic devotion to duty and the cause of freedom.

BE IT FURTHER RESOLVED, that a copy of this Resolution be delivered to Rear Admiral John D. Bulkeley and copies forwarded to the Secretary of Defense, the Secretary of the Navy and the Chief of Naval Operations in Washington, D. C.

On motion of Mr. Tyson, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 556. To amend further Act No. 345, H. 291, Regular Session 1955, which creates domestic relations division of the circuit courts of counties having populations of not less than 225,000 nor more than 500,000 (Acts 1955, v. 2, p. 783).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lolley	Nichols
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalfe	Smith
Carter	Hawkins	Montgomery	Tyson
Clark	Hornsby		

—25

Nays:

—0

The Bill:

S. 563. Relating to judicial circuits now or hereafter composed of one county having not less than four nor more than nine circuit judges; providing for payments out of the county treasury to supplement the salaries of supernumerary circuit solicitors in such circuits.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Taylor
Clark	Hornsby	Oden	Tyson
Cooper	Horton	Reynolds	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1012. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Roberts
Adams	Evans	McCain	Robison (Montgomery)
Allen	Gilchrist	McDow	Robison (Pickens)
Bentley	Givhan	Metcalf	Shelton
Carter	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1011. For the relief of Bobby Joe King of Marshall County; authorizing and directing the governing body of Marshall County to make an appropriation of county funds to compensate Bobby Joe King for certain damages sustained by him.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McDow	Robison (Pickens)
Allen	Hammond	Metcalf	Shelton
Bentley	Hawkins	Montgomery	Smith
Brannan	Hornsby	Nichols	Taylor
Carter	Horton	Oden	Tyson
Clark	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1010. For the relief of Ray Stone of Marshall County; authorizing and directing the governing body of Marshall County to make an appropriation of county funds to compensate Ray Stone for certain damages sustained by him.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Horton	Nichols
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby		

—25

Nays:

—0

The Bill:

H. 987. To alter, enlarge, re-arrange and extend the corporate limits of the City of Wetumpka in Elmore County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Clark	Hammond	Nichols	Taylor
Cooper	Hornsby	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 986. Relating to counties having a population of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; to provide further for the selection of textbooks and instructional materials for use in the public schools in any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Bentley	Evans	Mathews	Shelton
Brannan	Givhan	Metcalf	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Nichols	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 988. To alter, rearrange, and extend the boundaries of the City of Opp, Covington County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Reynolds
Adams	Gilchrist	McDow	Roberts
Allen	Hawkins	Metcalf	Robison (Pickens)
Clark	Hornsby	Montgomery	Shelton
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 982. To apply only in Bibb County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalf	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby		

—25

Nays:

—0

The Bill:

H. 980. To change the method of compensating the sheriff of Bibb County, placing such officer on a salary basis, and providing for the operation of his office on such basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	McCain	Robison (Montgomery)
Adams	Givhan	McDow	Shelton
Allen	Hammond	Nichols	Smith
Bentley	Hawkins	Oden	Taylor
Brannan	Horton	Reynolds	Tyson
Dumas	James	Roberts	Wilson
Eddins	Mathews		

—25

Nays:

—0

The Bill:

H. 932. To change the method of compensating certain officers of Madison County; placing such officers on a salary basis; providing for

their assistants and the office equipment, supplies, services, and material necessary for conducting the business of their respective offices.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Pickens)
Adams	Gilchrist	McDow	Shelton
Allen	Givhan	Metcalf	Smith
Bentley	Hammond	Montgomery	Taylor
Brannan	Hawkins	Nichols	Tyson
Carter	Hornsby	Roberts	Wilson
Clark	Mathews		

—25

Nays:

—0

The Bill:

H. 906. To authorize City Boards of Education in all counties having a population of not less than 76,000 and not more than 96,000 to enter into agreements with the appropriate federal agencies for the operation of schools located on federal military bases adjoining cities having City Boards of Education, and to operate said schools as if they were in a separate school district, pursuant to such agreements.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McDow	Roberts
Adams	Evans	Metcalf	Robison (Montgomery)
Allen	Gilchrist	Montgomery	Shelton
Bentley	Givhan	Nichols	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 472. Proposing an amendment to the Constitution relating to costs and charges of courts in Dallas County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Mathews	Roberts
Adams	Evans	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hawkins	Metcalf	Shelton
Brannan	Hornsby	Montgomery	Smith
Carter	Horton	Nichols	Wilson
Clark	James		

—25

Nays:

—0

The Bill:

H. 471. To create and establish in Dallas County an inferior court, known as and called the Dallas County Court, in lieu of the Dallas County Court created by Act No. 194, H. 448, Regular Session 1957 (Acts 1957, p. 245); to define its powers, and jurisdiction, including the criminal jurisdiction heretofore conferred by law on the justices of the peace of Dallas County; to abolish the criminal jurisdiction of justices of the peace in said county; to provide for a judge and other officers of the Dallas County Court, and prescribe their powers, duties, tenure and compensation; to prescribe rules of procedure for the court; to provide for the execution of the process of the court and the operation thereof; to authorize and provide for the transfer of cases and causes from the Dallas County Court hereby abolished to the court hereby created; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Mathews	Roberts
Adams	Hammond	McCain	Robison (Montgomery)
Allen	Hawkins	McDow	Smith
Bentley	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

S. 571. To amend Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lolley	Reynolds
Adams	Dumas	Mathews	Roberts
Allen	Evans	McCain	Robison (Montgomery)
Bentley	Gilchrist	McDow	Taylor
Brannan	Givhan	Montgomery	Tyson
Carter	Hammond	Oden	Wilson
Clark	Hawkins		

—25

Nays:

—0

The Bill:

S. 568. To apply only in counties having populations of not less than 24,800 nor more than 25,400, according to the most recent federal decennial census; regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	McDow	Shelton
Bentley	Hammond	Metcalf	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Nichols	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

S. 565. Relating to Bullock County; providing further for the administration and collection of special privilege licenses or excise taxes levied pursuant to Act No. 176, H. 687, Regular Session 1957, imposing certain duties upon the Court of County Commissioners of said county in reference to the enforcement of such taxes and the collection thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Pickens)
Adams	Gilchrist	McDow	Shelton
Allen	Givhan	Metcalf	Smith
Bentley	Hammond	Montgomery	Taylor
Brannan	Hawkins	Reynolds	Tyson
Carter	Hornsby	Robison (Montgomery)	Wilson
Clark	Mathews		

—25

Nays:

—0

The Bill:

H. 1008. To provide for the payment of per diem allowances to members of the board of registrars of Macon County from county funds.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Bentley	Givhan	McCain	Robison (Montgomery)
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Metcalf	Taylor
Clark	Hornsby	Montgomery	Tyson
Cooper	Horton	Nichols	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1028. To alter, re-arrange and extend the corporate limits of the Town of Beaverton, Lamar County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James		

—25

Nays:

—0

The Bill:

S. 566. Relating to counties having populations of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census; authorizing the sale and distribution of draft beer within such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Hammond	Metcalf	Robison (Montgomery)
Brannan	Hawkins	Montgomery	Robison (Pickens)
Carter	Hornsby	Nichols	Shelton
Clark	Horton	Oden	Smith
Cooper	James	Reynolds	Tyson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 489. Relating to the conduct of elections; providing for designation of places by number in primary and general elections for members of the legislature, repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	McCain	Reynolds
Adams	Evans	McDew	Robison (Pickens)
Allen	Hammond	Metcalf	Shelton
Bentley	Hawkins	Montgomery	Smith
Brannan	Hornsby	Nichols	Taylor
Carter	Horton	Oden	Tyson
Clark	James		

—25

Nays:

—0

The Bill:

S. 557. To propose an amendment to the Constitution of Alabama relating to any public corporation heretofore or hereafter created in any

County in the State of Alabama having a population of more than 500,000, according to the last or any subsequent Federal census, for the purpose of establishing, maintaining and operating a civic center in the municipality in which the county seat of such County is situated; to provide that such corporation shall be authorized, without the necessity of any election, to issue bonds, warrants or other evidence of indebtedness and to pledge for the payment of the principal and interest due thereon the revenue received or to be received by such public corporation and also to pledge for such payment the proceeds derived, or to be derived, from any taxes made payable by the act or acts levying such taxes to the said public corporation, any provision of the Constitution of Alabama to the contrary notwithstanding; to provide that securities issued by such corporation shall not be considered indebtedness of such County or any municipality therein within the meaning of Sections 224 and 225 of the Constitution of Alabama; and to provide that the rent or rentals that the said County or the said municipality may be obligated to pay under the terms of any lease between the said corporation and the County or the said municipality shall not be considered in determining whether the County or the municipality has exceeded the debt limitation prescribed for the County or municipality, as the case may be, by any provision of the Constitution of Alabama.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Oden
Adams	Evans	McCain	Roberts
Allen	Gilchrist	McDow	Robison (Montgomery)
Bentley	Givhan	Metcalf	Smith
Brannan	Hornsby	Montgomery	Taylor
Carter	Horton	Nichols	Tyson
Clark	James		

—25

Nays:

—0

The Bill:

S. 558. To provide for the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000 according to the last or any subsequent Federal Census (any such county being hereinafter referred to in this title as "the County" or "such County"); to provide for the creation of a public corporation, hereinafter called "the Authority", for the purpose of establishing, maintaining and operating such civic center; to provide that the Authority shall be governed by a Board of Directors of five members; to provide that one of the members of said Board shall be the Mayor or chief executive officer of the municipality wherein the civic center is situated, that one of the members of the Board shall be the President or Chairman of the governing body of the County, that one of the members of the Board shall be elected by a majority vote of the mayors or chief executive officers of all the municipalities in the County except that municipality wherein the civic center is situated, that one of the members of the said Board shall be elected by the members of the House of Representatives from the County and the Senator or Senators in which the County is situated, and that the four members of the Board designated or elected as hereinabove provided shall elect the fifth member of the Board; to provide that the Board of Directors shall elect the Chairman of the Board; to provide for an alternative method of filling any directorship which is required to be filled by an election in the manner above provided and

which is not filled in that manner; to provide that the affairs of the Authority shall be managed and controlled by said Board of Directors; to define the powers of the Authority and of the Board of Directors; to confer upon the Authority the power of eminent domain; to authorize the Authority to construct, maintain, control, operate and manage a civic center in the municipality wherein the county seat of the County is situated; to authorize the Authority to construct, maintain, control, operate and manage the following to be situated in the civic center: (1) buildings to provide offices used by the State of Alabama or by any agency, subdivision or public corporation thereof or by the County or by one or more municipalities thereof for any municipal purpose otherwise authorized by law; (2) buildings to house or accommodate public facilities of the State of Alabama or of any agency, subdivision or public corporation thereof or of the County or of any one or more of said municipalities for any municipal purpose otherwise authorized by law; (3) streets, boulevards, walkways, parkways and parks; (4) monuments, statues and other structures beautifying the civic center; (5) community houses or meeting houses and auditoriums, arenas, convention halls and convention sites; and (6) music halls, art museums, places of recreation, art exhibits and other exhibits for the advancement of the humanities and the cultural development and edification of the citizens of the County and of the municipalities located therein; to authorize the County and any municipality thereof to lease, sell, donate or otherwise convey to the Authority real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of the County or of the municipality, provided the governing body of the County, or the municipality, as the case may be, shall first determine that such lease, sale, donation, conveyance or appropriation will benefit the people of the County, or the municipality, or as the case may be; to authorize the Authority to borrow money and to issue revenue bonds as evidence of money so borrowed, which bonds shall be payable solely from taxes payable to the Authority by any act of the Legislature heretofore or hereafter adopted and from revenues of the Authority derived from the activities, operation and enterprises in which the Authority is authorized to engage; to authorize the Authority to mortgage its property to secure the payment of the principal and interest due on said bonds; to authorize the Authority to execute such contracts and other instruments as the Authority deems necessary to secure payment of the principal and interest due on said bonds; and to repeal all laws, whether general, special or local, inconsistent with the provisions of this act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Oden
<u>Adams</u>	Gilchrist	McCain	Roberts
Allen	Givhan	McDow	Robison (Montgomery)
Bentley	Hammond	Metcalf	Robison (Pickens)
Brannan	Hawkins	Montgomery	Shelton
Carter	Hornsby	Nichols	Wilson
Dumas	Horton		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 57. To levy a tax upon persons engaged or continuing within this state in the business of selling at retail any machine, machinery, or equipment used for certain agricultural purposes, and the parts of such machines, machinery, or equipment, and attachments and replacements therefor, in lieu of the sales tax levied by Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and providing for the enforcement and collection of such tax.

Also:

H. 227. To levy an excise tax on the storage, use or other consumption in this state of certain tangible personal property purchased at retail, in lieu of the state use tax levied by Code 1940, Title 51, Section 788, as amended, and to provide for the enforcement and collection of such tax.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 401. To alter and re-arrange the boundaries of Geraldine in DeKalb County, Alabama.

Also:

S. 424. To amend further Section 2, Act No. 68, H. 394, Regular Session 1957, relating to exemptions from the Limestone County sales and use tax act.

Also:

S. 450. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

S. 460. Relating to all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent federal decennial census; providing additional per diem pay from county funds for members of the county board of equalization; making the Act retroactive.

Also:

S. 469. To prohibit the commissioner of licenses in all counties having a population of not less than 76,000 and not more than 96,000 from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit; and repealing conflicting laws.

Also:

S. 495. To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, so as to annex certain territory to the town; making the act effective upon approval of the qualified electors of the territory to be annexed and providing for a referendum on the proposition.

Also:

S. 499. Relating to Geneva County: To authorize the county governing body to employ an industrial development agent for the County; fix his term of employment and compensation, and prescribe his duties.

Also:

S. 500. Relating to Geneva County: To provide further for the distribution of fines and forfeitures in certain cases.

Also:

S. 329. Proposing an amendment to the Constitution of Alabama relative to the compensation of certain officers of Greene County.

Also:

S. 490. Proposing an amendment to the Constitution of Alabama relating to the town of Lester, Limestone County, and ordering an election thereon.

Also:

S. 506. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school district number one, Talladega County.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 483. To change the method of compensating certain officers of Madison County; placing such officers on a salary basis; providing for their assistants and the office equipment, supplies, services, and material necessary for conducting the business of their respective offices.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

S. 394. To amend Act No. 201, H. 296, Acts of Alabama Regular Session 1955, page 492, relating to public school administration.

was taken up.

Mr. Givhan offered the following amendment to the Bill, to-wit:

Amendment to S. B. 394

In Section 1, second paragraph, add at the end thereof the following:

"It shall be unlawful for any person to use funds granted under this Act for any purpose other than for the payment of tuition in school; and whoever violates this provision is guilty of a misdemeanor and upon conviction shall be punished as prescribed by law."

Also, in the caption, strike out the period at the end thereof and insert the following: ; and prescribing penalties

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Reynolds
Adams	Eddins	James	Roberts
Allen	Evans	Lolley	Robison (Pickens)
Bentley	Gilchrist	Mathews	Shelton
Brannan	Givhan	McDow	Smith
Carter	Hammond	Metcalf	Taylor
Clark	Hawkins	Nichols	Tyson
Cooper	Hornsby	Oden	Wilson

—31

Nays:

—0

And said Bill, S. B. 394, as thus amended, was then read a third time at length and passed.

Yeas 22; Nays 9.

Yeas:

Messrs.:	Dumas	Hornsby	Oden
Adams	Eddins	James	Reynolds
Allen	Evans	Lolley	Robison (Pickens)
Brannan	Gilchrist	Mathews	Taylor
Clark	Givhan	McDow	Tyson
Cooper	Hammond	Montgomery	

—22

Nays:

Messrs.:
Bentley
Carter

Hawkins
Horton
Metcalf

Nichols
Shelton

Smith
Wilson

—9

PAIRED VOTE ANNOUNCED

Mr. Roberts announced that he was paired with Mr. Robison (Montgomery) on this vote; Mr. Robison (Montgomery), if present, would vote "Nay", and he, Mr. Roberts, would vote "Yeas".

BILLS ON THIRD READING RESUMED

The Bill:

S. 549. Relating to the powers of cities having a population of not less than 70,000 and not more than 120,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic character of the city, including designating historic structures, sites and districts, defining the boundaries of such districts, creating certain agencies to promote the preservation of such structures, sites and districts, conferring certain duties and powers upon such agencies, and adopting other provisions necessary to effect the purposes of this Act.

was taken up.

Mr. Roberts offered the following substitute for the Bill, S. B. 549, to-wit:

Substitute for S. B. 549

A BILL TO BE ENTITLED AN ACT

Relating to the powers of cities having a population of not less than 70,000 and not more than 120,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic character of the city, including designating historic districts, defining the boundaries of such districts, establishing certain agencies, procedures and regulations to promote the preservation of such districts, conferring certain duties and powers upon such agencies, and adopting other provisions necessary to effect the purposes of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of any city having a population of not less than 70,000 and not more than 120,000 according to the last or any subsequent federal decennial census may from time to time adopt ordinances to protect the historic character of the city in the manner hereinafter provided.

Section 2. Such city governing body may by ordinances designate as an Historic Preservation District one or more districts within the corporate limits of such city, which districts such city governing body shall determine possess such historic significance by reason of antiquity, architecture, historic importance of persons or events identified therewith or, by reason of the existence within the boundaries thereof, as same shall be defined by such ordinance or ordinances, of such number of historic structures or sites, or combination thereof together with other relevant characteristics as to give to such district as a whole a

character of historic significance worthy of preservation for the protection of the historic character of the city, in the interest of the general welfare of its inhabitants, including the promotion and preservation of its educational, cultural and economic interests, opportunities and advantages through the preservation and protection of historic buildings and structures and places and areas of historic interest, the preservation, protection and maintenance of such buildings, structures, places and areas as landmarks in the history of the Territory and State of Alabama and the city commemorative of the events, circumstances, persons and architecture associated therewith and tangible reminders thereof and the preservation and protection of appropriate settings and environments for such buildings, structures, places and areas and the promotion, development and preservation of the economy, commerce and industry of the State of Alabama and the city by the preservation and protection of such buildings, structures, places and areas and of appropriate settings and environments therefor, and the preservation of the economic value of property within such districts. PROVIDED, HOWEVER, that the boundaries of any such Historic Preservation District shall not include any area which lies within the boundaries of any urban renewal project previously approved by the city governing body.

Section 3. Within the meaning of this Act the term "Historic Preservation District" shall mean a district so designated and the boundaries of which are so defined by such city governing body. Except as shall be made otherwise to appear in context, the term "Commission" as used in this Act shall mean "Historic Preservation Commission."

Section 4. Such city governing body may by such ordinances establish an Historic Preservation Commission for the purposes of accomplishing such preservation and thereupon the mayor shall, subject to the approval of the city governing body, appoint and from time to time replace the members thereof, as hereinafter provided. By city ordinance, the Commission may be vested with any or all of the duties and powers hereafter enumerated.

A. (1) Such Commission shall be composed of nine members, including one member of the city governing body designated by it, the Director of the Planning Commission for the city and the City Building Inspector.

(2) The members of said Commission first appointed, except the Director of the City Planning Commission, the City Building Inspector and the member of the city governing body, who shall all serve by virtue of, and whose terms shall correspond with the terms of their respective offices, shall serve for terms of one, two, three, four, five and six years, respectively, as shall be specified by the mayor at the time of their appointment. Thereafter the members of the Commission, except the ex officio members, shall serve for terms of six years. At the expiration of the term or the death or resignation of any member the resulting vacancy shall be filled for the unexpired term of such member in the same manner as provided above. A member may be appointed to serve a second term; but no member shall serve more than two terms, except the ex officio members. Otherwise, no distinction shall be made between the ex officio and other members of the Commission.

B. (1) The Commission shall meet regularly at an established time and place at least once in each two months and specially upon call by the Chairman or Secretary and forty-eight hours notice to each member for purposes specified in the notice of call only. A chairman elected by the Commission from its membership shall preside at its meetings, or in his absence a chairman pro tempore likewise elected. Minutes of its meetings shall be kept by the Director of the City Planning Commission, who shall be the Secretary of the Commission, or by a stenographer or

reporter designated by him and under his direction. Such minutes shall be signed by the Secretary of the Commission, and shall accurately reflect all matters brought before the Commission, its proceedings and determination thereon, including the votes of its members, and shall be permanently retained as official records of the city. Five members of the Commission shall constitute a quorum for the transaction of any business at its meetings. All meetings of the Commission shall be open to the public. Its proceedings shall be governed by such reasonable rules and regulations as it shall adopt, consistent with law and accepted parliamentary procedure.

(2) Members of the Commission shall receive no compensation for their service thereon.

(3) Upon any matter coming before the Commission in which any member has a personal interest he shall state same and disqualify himself from deliberations and voting thereupon.

C. (1) The Commission shall have no authority to obligate the city for any debt or expenditure beyond such sums as the city governing body may see fit to appropriate from time to time for its use.

(2) Any contract or other instrument for any purpose hereunder authorized to be made by the Commission shall be executed in the name of the city by the mayor and attested by the clerk-treasurer, who shall affix the seal of the city, upon the authority of a resolution duly adopted by the Commission.

(3) All funds of the Commission shall be held, administered and accounted by the city clerk-treasurer in like manner as other city funds and likewise disbursed upon the authority of a resolution duly adopted by the Commission.

(4)(a) The Commission may provide for the public showing of buildings and structures within Historic Preservation Districts to interested groups and organizations under such agreements as the owners thereof shall deem proper.

(4)(b) Subject to the availability of funds therefor, the Commission may cause suitable markers to be posted at, upon or adjacent to Historic Preservation Districts or the entrances thereto and sites, buildings and structures therein situated and may accord such priorities therein as it deems proper, provided that markers shall be placed on private property only upon approval of the owner or owners.

(5) Within or touching upon the boundaries of any Historic Preservation District, no change shall be made in or upon any public street, way or park without the plan therefor having been submitted to the Commission for the expression of its recommendations with relation thereto ~~prior to the commencement of such work~~

(6) The Commission shall cause the districts within the city which might merit preservation hereunder to be surveyed and evaluated and shall submit to the city governing body from time to time written reports of its recommendations relating thereto.

Section 5.

A. It shall be the duty of the Commission to pass upon the appropriateness of:

(1) The exterior architectural features of buildings and structures to be erected, constructed, reconstructed, altered, renovated or restored within any Historic Preservation District, except as hereinafter provided.

(2) The removal or demolition of any structure or building within any Historic Preservation District.

(3) The erection of any sign within any Historic Preservation District.

B. In passing upon the appropriateness of any of the foregoing, the Commission shall consider:

(1) The historical or architectural value and significance of the building or structure which is proposed to be reconstructed, altered, demolished or removed and its relationship and congruity with the historic value of the District as a whole and adjacent buildings or structures in particular.

(2) The appropriateness of the exterior architectural features of the building or structure which is proposed to be constructed, reconstructed, or altered in relationship to such Historic Preservation District and the exterior architectural features of other buildings and structures therein as a whole and adjacent buildings or structures in particular and to the boundaries, terrain and other significant features of the lot upon which it is proposed to be constructed and to similar features of the surrounding land area.

(3) The general exterior design, materials and color proposed to be used in the buildings, construction, reconstruction, or alteration of the building or structure and the type of windows, exterior doors, lights, signs and other fixtures and appurtenances which will be visible from any public street, way, park or place.

(4) The size, shape, location, elevation, colors and design of any sign proposed to be erected, the legend upon same, the type and location of any illumination thereof, and other factors relevant to the appropriateness of such sign to its proposed location.

C. In passing upon the appropriateness of any of those things enumerated above the Commission shall not consider interior arrangement or features of a building or structure which are not visible from any public street, way or place, the authority of the Commission being hereby limited to the prevention of such things within said enumerated classes as would be obviously incongruous to the architectural or historic aspects of such structure or to its surroundings within such Historic Preservation District.

D. The Commission shall promulgate and shall keep available to the public for the information and guidance of property owners, developers, builders, architects and others concerned regulations which the Commission shall apply in giving its consideration to the appropriateness of the foregoing subjects required to be submitted to it therefor and which shall be as objective as shall be practicable in view of the purpose of historic preservation hereinbefore stated. All such regulations shall be published as provided by law for the publication of ordinances, and before adoption a public hearing shall be held thereon.

E. The Commission shall have no authority concerning the use of property, which shall continue to be regulated by any applicable zoning regulations of the city; but the Commission shall consider the height, the setback from street and property boundary lines, and the building area relative to lot area of buildings and structures proposed to be constructed, reconstructed, altered or renovated. As to any of same the Commission shall make such suggestions relating to the proposed work and such recommendations relating to the grant of exceptions to the applicable zoning limitations as it shall deem appropriate and consistent with the purpose of historic preservation hereinbefore stated.

Section 6.

A. Unless a certificate of appropriateness therefor shall have been issued by the Commission:

(1) No building or structure shall be erected, constructed, reconstructed, altered, restored or renovated within any Historic Preservation District. No certificate of appropriateness however shall be required for any repainting, repair or maintenance of any building or structure which effects no material alteration or change in the exterior architectural features or appearances thereof.

(2) No building or structure shall be demolished or removed within any Historic Preservation District.

(3) No sign shall be erected within any Historic Preservation District, except street, traffic and like signs erected by public authority.

B. Application shall be made for such certificate of appropriateness to the Secretary of the Commission upon forms to be provided therefor, accompanied by full and detailed plans and specifications or other description of the work to be done, together with such other information as the Commission may reasonably require.

C. The Commission shall act upon every such application as promptly as shall be practicable and issue to the applicant its certificate of appropriateness thereupon, with or without conditions, or its written disapproval, specifying the reasons therefor. Unless the Commission shall so act within thirty days after the filing of any such application, or such extended time as may be agreed in writing by the applicant, its certificate of appropriateness without conditions shall be deemed to have been issued.

D. Any such application which has been disapproved shall not be re-submitted, unless amended to eliminate therefrom the reasons for prior disapproval, within six months thereafter. **PROVIDED, HOWEVER,** that an application to demolish, raze or remove any structure or building may be resubmitted three months after denial and upon such re-submission shall be deemed to be approved without conditions after the expiration of thirty days from the date of such re-submission, unless the Commission shall within such period of thirty days grant written approval of such application, subject to such reasonable conditions as the Commission shall stipulate.

E. The determination of the Commission upon any application may be reviewed upon writ of certiorari by the Circuit Court having jurisdiction of the res, provided petition therefor is filed in such Court within sixty days following issuance of such determination and served upon the Secretary of the Commission. Upon such review the Court shall consider the issues de novo.

Section 7. The city governing body may also adopt by ordinance such other regulations as are necessary to effect the purposes of this Act not inconsistent with the provisions hereof.

Section 8. The violation of any ordinance or regulation duly adopted pursuant hereto shall be punishable as a misdemeanor. Also, equitable relief shall be available for the enforcement of this Act or ordinances promulgated pursuant thereto.

Section 9. All laws or parts of laws which are in conflict with this Act are, to such extent, hereby repealed.

Section 10. All provisions, sections and sub-sections of this Act are severable. If any part, provision, section or sub-section of the Act

is declared invalid or unconstitutional, such declaration shall not affect the parts, provisions, sections and sub-sections that remain.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Horton	Roberts	
Adams	Evans	Mathews	Shelton	
Allen	Gilchrist	McCain	Smith	
Bentley	Givhan	McDow	Taylor	
Brannan	Hammond	Metcalf	Tyson	
Carter	Hawkins	Oden	Wilson	
Clark	Hornsby			—25

Nays: —0

And said Bill, S. B. 549, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Horton	Roberts	
Adams	Evans	Mathews	Shelton	
Allen	Gilchrist	McCain	Smith	
Bentley	Givhan	McDow	Taylor	
Brannan	Hammond	Metcalf	Tyson	
Carter	Hawkins	Oden	Wilson	
Clark	Hornsby			—25

Nays: —0

MOTION TO ADJOURN LOST

At 5:05 P. M., Mr. Shelton moved that the Senate adjourn until Tuesday, August 10, 1965, at 10 o'clock A. M., which motion was lost.

Yeas 7; Nays 19.

Yeas:

Messrs.:	Brannan	Hawkins	Shelton	
Bentley	Carter	Horton	Wilson	
				—7

Nays:

Messrs.:	Evans	Lolley	Reynolds	
Allen	Givhan	Mathews	Roberts	
Clark	Hammond	McDow	Robison (Pickens)	
Cooper	Hornsby	Montgomery	Smith	
Eddins	James	Nichols	Tyson	—19

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Teel:

H. 750. To apply only in counties of the State having populations of not less than 10,000 nor more than 10,900 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

By Mr. Grouby:

H. 800. To make an appropriation from the Alabama Special Educational Trust Fund to the use and benefit of the Alabama Public Library Service for the purpose of qualifying under and entering into the program provided by the federal Library Services and Construction Act, which provides matching funds for capital outlay; providing for the reversion of unexpended funds by a certain date.

Also:

By Mr. Fite:

H. 127. To amend Section 4 of Act No. 1, 1945 General Acts of Alabama, Page 1, Approved May 22, 1945, as Amended by Act No. 671, 1949 General Acts of Alabama, Page 1033, Approved September 19, 1949, which relates to the State Oil and Gas Supervisor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 750. To the Committee on Local Legislation.

H. B.'s 800 and 127. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Rast, Brown (Jefferson), Meeks, Bethea (M), Perry, Vacca, Gilmore, Sessions, Bowers and Collins (Jefferson):

H. 1131. Pertaining to sheriffs fees in counties having population of 500,000 or over. To amend Section 34 of Title 11 of the 1940 Code of Alabama.

Also:

By Messrs. Morrow, Sessions, Vacca, Dominick, Meeks, Rast, Brown (Jefferson), Bowers, Gilmore, Bethea (B), Perry, Etheredge and Hawkins:

H. 1175. To impose and levy in every county of the State having a population of 500,000 or more according to the last or any subsequent Federal Census a tax on every person who sells, stores or delivers cigarettes or smoking tobacco in the county, in the form of a license tax in the amount prescribed in the act, which tax shall be in addition to all other taxes now imposed by law; to provide for the amount, or rate, of the tax which shall be levied on the sale, storage or delivery of cigarettes and smoking tobacco; to provide that the taxes levied by this act shall be paid by the use of stamps, which shall be affixed to the tobacco products subject to said tax; to provide for certain exemptions from the taxes levied by this act; to provide for the method of collecting and enforcing the taxes levied by this act; to provide penalties for the violation of this act; to provide that any person who sells or stores or receives for the purpose of sale or distribution any article containing tobacco enumerated in this act shall add the amount of the license or privilege tax levied and assessed by this act to the price of the article, and shall collect from the purchaser the amount of the tax due under this act; to provide that the officer or employee chargeable with the duty of collecting privilege or license taxes payable to the county shall collect the taxes levied by this act; to provide that the said officer or employee collecting the taxes levied by this act shall pay one per cent (1%) of the total amount of taxes collected by him to the treasury of the county, as compensation to the county for expenses incurred by the county in securing the stamps necessary for the administration of this act and for other expenses incurred by the county in the collection of the taxes and the enforcement of this act; to provide that the officer or employee collecting the taxes shall pay all of the proceeds of the taxes, except the one per cent (1%) deducted as aforesaid, to a public corporation heretofore or hereafter created by the Legislature of Alabama for the purpose of establishing, constructing, maintaining, and operating a civic center in that municipality wherein the county seat of the county is situated, to the end that the said taxes may be used by the said public corporation for the purposes for which it is created; to provide that the taxes levied by this act shall go into effect, or become effective, on the first day of the calendar month next following that calendar month in which there is adopted an act creating in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a public corporation for the purpose of establishing, maintaining and operating a civic center in the county seat of said county provided, however, that if the last mentioned act has been enacted prior to this act becoming a law, then the taxes levied by this act shall become effective, and go into effect, on the first day of that calendar month next following the calendar month in which this act becomes a law; and to provide for the repeal of all laws, whether general, special or local, in conflict with the provisions of this act.

Also:

By Messrs. Morrow, Sessions, Vacca, Dominick, Meeks, Rast, Brown (Jefferson), Bowers, Gilmore, Bethea (B), Perry, Etheredge and Hawkins:

H. 1177. To impose and levy in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a privilege or license tax against or on every person engaged in the county in the business of renting or furnishing any room or rooms, lodging or accommodations, in any hotel, motel, inn, tourist

court, or any other place in which rooms, lodgings, or accommodations are rented or furnished for a consideration, and also a privilege or license tax on every person engaged in such county in the business of renting or furnishing space for the accommodations of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the officer or employee chargeable with the duty of collecting privilege or license taxes payable to the county shall collect the taxes levied by this act; to provide that the said officer or employee collecting the taxes levied by this act shall pay one per cent (1%) of the total amount of taxes collected by him to the treasury of the county, as compensation to the county for expenses incurred by the county in the collection of said taxes and in the administration and enforcement of this act; to provide that the officer or employee collecting the taxes shall pay all of the proceeds of the taxes, except the one per cent (1%) deducted as aforesaid, to a public corporation heretofore or hereafter created by the Legislature of Alabama for the purpose of establishing, constructing, maintaining, and operating a civic center in that municipality wherein the county seat of the county is situated, to the end that the said taxes may be used by the said public corporation for the purposes for which it is created; to provide that the taxes levied by this act shall go into effect, or become effective, on the first day of the calendar month next following that calendar month in which there is adopted an act creating in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a public corporation for the purpose of establishing, maintaining and operating a civic center in the county seat of said county provided, however, that if the last mentioned act has been enacted prior to this act becoming a law, then the taxes levied by this act shall become effective, and go into effect, on the first day of that calendar month next following the calendar month in which this act becomes a law, and to provide for the repeal of all laws, whether general, special or local, in conflict with the provisions of this act.

Also:

By Messrs. Morrow, Sessions, Vacca, Dominick, Meeks, Rast, Bailes, Brown (Jefferson), Bowers, Gilmore, Bethea (B.), Perry, Etheredge and Hawkins:

H. 1178. To propose an amendment to the Constitution of Alabama relating to any public corporation heretofore or hereafter created in any County in the State of Alabama having a population of more than 500,000, according to the last or any subsequent Federal census, for the purpose of establishing, maintaining and operating a civic center in the municipality in which the county seat of such County is situated; to provide that such corporation shall be authorized, without the necessity of any election, to issue bonds, warrants or other evidence of indebtedness and to pledge for the payment of the principal and interest due thereon the revenue received, or to be received by such public corporation and also to pledge for such payment the proceeds derived, or to be derived, from any taxes made payable by the act or acts levying such taxes to the said public corporation, any provision of the Constitution of Alabama to the contrary notwithstanding; to provide that securities issued by such corporation shall not be considered indebtedness of such County or any municipality therein within the meaning of Sections 224 and 225 of the Constitution of Alabama; and to provide that the rent or rentals that the said County or the said municipality may be obligated to pay under the terms of any lease between the said corporation and the County or the said municipality shall not be considered in determining whether the County or the municipality has exceeded the debt limitation prescribed for the County or municipality, as the case may be, by any provision of the Constitution of Alabama.

Also:

By Messrs. Rast, Morrow, Meeks, Locke, Brown (Jefferson), Bethea (M.), Sessions, Vacca, Gilmore, Bowers, Dominick, Bailes, Perry, Etheredge and Hawkins:

H. 1179. To authorize and empower the Board of Revenue, County Commission or like governing body in all counties of this State having a population of 400,000 or more inhabitants according to the last or any subsequent federal census, to construct and improve lateral sewer lines in subdivisions located outside the limits of municipalities in such counties, such lateral sewer lines to be constructed or improved under the provisions of and subject to the terms and conditions of Act No. 519 of the 1947 Regular Session of the Legislature of Alabama, approved September 30, 1947 (1947 General Acts, p. 356).

Also:

By Messrs. Morrow, Locke, Sessions, Vacca, Bowers, Gilmore, Dominick, Meeks, Rast, Bailes, Perry, Etheredge and Hawkins:

H. 1180. To provide that any city of the State having a population of more than 300,000 according to the last or any subsequent federal census shall have authority to provide for firemen and policemen of the city instruction and training in the disarming, neutralizing or rendering ineffective bombs or other explosives; to provide that any such city shall have the authority to enter into contracts with any person, firm or corporation, or the Federal Government or any State of the Union, or any agency or subdivision of the Federal Government or of any State providing for the city to pay a reasonable amount for instruction or training furnished to firemen and policemen of the city in the disarming, neutralizing or rendering ineffective bombs or other explosives; and to provide that any such city shall have authority to pay the expenses of firemen and policemen incurred in attending schools or courses providing for such instruction or training, and to carry firemen and policemen on a duty status, or pay status, while they are attending any such school or training course, or are enroute to and from such school or course.

Also:

By Messrs. Morrow, Meeks, Locke, Sessions, Vacca, Bowers, Gilmore, Dominick, Rast, Bailes, Etheredge and Hawkins:

H. 1181. To provide that when in any city of the State having a population of more than 300,000, according to the last or any subsequent Federal census, a fireman is assigned, or called upon, by one or more of his superior officers in the fire department to quell a riot, disorder or disturbance or to otherwise preserve the peace, while engaged in such duty he shall have the authority to make arrests conferred upon policemen of the city by the laws of the State of Alabama or by the ordinances of the city, as such laws and ordinances may be amended.

Also:

By Messrs. Morrow, Locke, Sessions, Vacca, Bowers, Gilmore, Dominick, Meeks, Rast, Bailes, Perry, Etheredge and Hawkins:

H. 1182. To provide that in any city of the State having a population of more than 300,000, according to the last or any subsequent Federal census, an injury sustained by any member of the fire department of the city when he is on duty in said fire department and is engaged in quelling a riot, disorder, or other disturbance, or in otherwise preserving the peace of the city, shall be deemed to be an injury in the line of his duty in the fire department; and to provide that any member of the fire department so injured shall be entitled to the benefits provided by law for

a fireman of the city injured in line of duty, and that the widow or dependents of any fireman dying as the result of any such injury shall be entitled to the pension or benefit payable to the widow or dependents of a fireman of such city killed in the line of duty.

Also:

By Messrs. Morrow, Etheredge, Locke, Sessions, Vacca, Bowers, Gilmore, Dominick, Meeks, Rast, Bethea (B) and Bailes:

H. 1183. To repeal Act No. 87 of the Second Special Session of the Legislature of Alabama of 1963 (Acts of Alabama, 1963, Page 252), providing that any recorder of a city having a population of 350,000 or more shall have the power and authority to require an appeal bond in any case appealed to the Circuit Court or court of like jurisdiction in any reasonable amount not exceeding \$2,500.

Also:

By Messrs. Meeks, Morrow, Sessions, Vacca, Rast, Brown (Jefferson), Bethea (M), Bailes, Perry and Etheredge:

H. 1184. Relating to counties having populations of 600,000 or more, according to the most recent federal decennial census; authorizing the sale and distribution of draft beer within such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1131, 1175, 1177, 1178, 1179, 1180, 1181, 1182, 1183 and 1184. To the Committee on Local Legislation.

(The above numbered bill, H. B. 1178, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turner (Crenshaw):

H. 974. To provide for the levy and collection of a special property tax of five cents per acre per annum on all wooded or timber lands in this state; to define "wooded or timber lands" as used in this act; to provide for the disposition of proceeds of said tax; to provide for the discontinuance of the special forest fire property assessment as provided for by Act No. 552, 1955 General Acts of Alabama, page 1208; to repeal all laws or parts of laws in conflict with the provisions of this Act.

Also:

By Mr. Turner (Crenshaw):

H. 975. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax not exceeding five cents per acre per annum on all wooded or timber lands in this state, proceeds of which are to be placed in a special fund in the State Treasury to be expended for the purpose of furthering the forestry program of this State.

Also:

By Messrs. Turnham and Crawford:

H. 355. To revise and amend Section 74 (46) of Title 36 of the Code of Alabama, 1940, all of which relates to security required, suspension of licenses and registrations under the Motor Vehicle Safety-Responsibility Act.

Also:

By Messrs. Turnham and Crawford:

H. 356. To revise and amend Section 74 (56) of Title 36 of the Code of Alabama, 1940, all of which relates to payments sufficient to satisfy requirements under the Motor Vehicle Safety-Responsibility Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 974 and 975. To the Committee on Forestry and Conservation.

H. B.'s 355 and 356. To the Committee on Judiciary.

(The above numbered Bill, H. B. 975, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Locke, Vacca, Sessions, Bailes and Hawkins:

H. 1081. To set controls of Lysergic Acid Diethylamide (LSD-25), Psilocybin or any other drug or compound known as Psycotomimetics; or any similar drug which produces on ingestion an hallucinatory effect, or induces a schizophrenic psychoses; and to set the penalties therefor.

Also:

By Messrs. Turner (Crenshaw), Goodwyn, Brewer, Cook, Turnham and Vacca:

H. 55. To amend the Code of Alabama 1940, Title 22, Section 3 and Section 7 relating to a quorum for the State Board of Health and the State Committee of Public Health.

Also:

By Messrs. Turner (Crenshaw), Goodwyn, Brewer, Cook, Turnham and Vacca:

H. 56. To amend the Code of Alabama 1940, Title 46, Section 258, relating to the authority of the Board of Medical Examiners.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1081, 55 and 56. To the Committee on Public Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Goodwyn, Pierce, Little, Daniel, Nabors, McCorquodale, Camp, Edwards (Lowndes), Nettles, Merrill, Grouby, Jones (Monroe), Heflin, Hain, Blanton, Burns, Cates, Burnham, Goldthwaite, Turnham, Owen, Casey, Davis, McDermott, Engel, Downing, Edington, Teel, Ingram, Baker (DeKalb), Bolton, Holladay, Albea, Barnett, Collins (Mobile), Cornett, Crawford, Doggett, Drake, Glass, Hawkins, Hogan, Jones (Covington), Locke, Owens, Pennington, Powell, Smith, Snell, Stembridge, and Thomas.

H. 891. To make an appropriation to the Alabama-Coosa River Improvement Association, Incorporated.

Also:

By Messrs. Salter, Pierce, McCorquodale and Nettles:

H. 366. To set the salary of the Assistant Chief Examiner of the Department of Examiners of Public Accounts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 891. To the Committee on Finance and Taxation.

H. B. 366. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Cates:

H. 696. To amend Act No. 209, Acts of Alabama, Special Session 1964, p. 279 regarding qualifications and registration of sanitarians, and regarding use of funds.

Also:

By Mr. Goodwyn:

H. 892. To provide for creation and establishment of a state commission on intergovernmental cooperation, providing for the appoint-

ment, qualifications and tenure of the members and officers of such commission, and making an appropriation for its use.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 696. To the Committee on Public Health.

H. B. 892. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cantrell, Albea, Blanton, Boston, Bowers, Brown (Tuscaloosa), Campbell (Tuscaloosa), Collins (Jefferson), Collins (Mobile), Drake, Edwards (Escambia), Engel, iFte, Grouby, Hain, Hannah, Harper, Heflin, Hogan, Ingram, Jones (Covington), Jones (Monroe), Locke, McDermott, Meeks, Merrill, Nabors, Nettles, Powell, Rast, Sessions, Smith, Tuck, Turnham and Vacca.

H. 984. To make an appropriation from the State General Fund for the operation and maintenance of the Helen Keller Home at Tusculumbia.

Also:

By Mr. Owen:

H. 848. To amend Section 2 of Act No. 545, Acts of Alabama 1963, Volume 2, page 1162, entitled "An Act To appropriate to the Department of Conservation, Division of State Parks, Monuments and Historical Sites, the sum of One Hundred Fifty Thousand Dollars or so much thereof as may be necessary for the purpose of paying such sums as may be ordered by the Federal Court in settlement of equities in the litigation concerning the Gulf State Park properties, and further for the purchase of a motel and certain lands adjacent thereto located within Gulf State Park in Baldwin County, Alabama, and further authorize the Director of Conservation to make such purchase from the Small Business Administration, an agency of the United States Government."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 984 and 848. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Carr, Rogers, Drake, Powell, Avery, Bailes, Baker, Bolton, Bowers, Burns, Collins (Jefferson), Collins (Mobile), Crawford, Daniel, Dominick, Edwards (Escambia), Edwards (Lowndes), Engel, Gilmore, Glass, Hawkins, Heflin, Hogan, Holladay, Ingram, Jones (Monroe), McDermott, Meeks, Nabors, Nettles, Owen, Owens, Paulk, Pruitt, Rast, Smith, Snell, Stembridge, Sullivan, Teel, Thomas, Tuck and Vacca:

H. 659. To amend further Code of Alabama 1940, Title 8, Section 33, which provides for non-resident trip hunting licenses, so as to increase the amount of the license and provide for use of the increment in revenue resulting therefrom.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 659. To the Committee on Fish and Game.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Baker (DeKalb), Hannah and Boston:

H. 1170. Relating to school finance; prescribing the basis for calculating allotments for teachers' salaries under the minimum school program.

Also:

By Mr. Etheredge:

H. 272. To amend Code of Alabama 1940, Title 28, Sections 64 and 143 relating to deposit of securities.

Also:

By Mr. Rast:

H. 1202. To authorize the State Bureau of Publicity and Information to equip, maintain, operate and staff tourist welcome centers in this state; and to provide that the cost thereof shall be paid out of proceeds from the lodgings tax appropriated to such agency for tourist promotion.

Also:

By Messrs. Goodwyn and Turner (Crenshaw):

H. 326. To amend Sections 1, 3, 4, 7, 10, 11, 12, 13 and 16 of Act No. 674 of the 1961 Regular Session of the Alabama Legislature, approved September 8, 1961 (Acts of Alabama 1961, Volume I, page 925 et seq.).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 1170 and 326. To the Committee on Finance and Taxation.

H. B. 272. To the Committee on Insurance.

H. B. 1202. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Crawford:

H. 1160. Relating to certain municipal corporations; amending Section 21 of Title 37, Code of Alabama, 1940, in relation to the forfeiture of charter; causes of forfeiture, by certain municipalities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1160. To the Committee on Corporations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 396. To amend Section 1, Act No. 11, S. 59, Regular Session 1959, an act fixing the compensation of certain officers of Dallas County. by a vote of a majority of the whole number elected to the House, said vote being: Yeas 61, Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being:

Yeas 63; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 825, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives:
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 825 with a suggested executive amendment.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 6, 1965

To the House of Representatives:
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 825, without my approval and with a suggested Executive Amendment, as follows:

Amend said House Bill 825 by striking therefrom all that portion of Section 1 of said bill contained under the designation TRACT "C", following the words and figures Section 3, found on the second line from the bottom of Page 1, and substitute in lieu thereof the following:

"thence South 2640 feet to the Southwest corner of Section 3, Township 6 South, Range 2 East; thence East 1320 feet to the center of the North boundary of the Northwest Quarter of said Section 10; thence South 2640 feet; thence East 1320 feet to the center of said Section 10; thence North 1320 feet; thence East 1320 feet; thence South 1320 feet; thence East 2640 feet; thence South 1320 feet to the place of true beginning and containing 1040 acres, more or less."

The suggested executive amendment is made at the suggestion of the authors of the bill and, if adopted, will remove my objection to said House Bill 825.

Respectfully,
GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 825, by a vote of Yeas 72, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 825. To alter, re-arrange, and extend the boundaries of the Town of New Hope in Madison County.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 69, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Roberts, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 825, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McDow	Roberts	
Adams	Evans	Metcalf	Shelton	
Allen	Hawkins	Montgomery	Smith	
Carter	Hornsby	Nichols	Taylor	
Clark	Horton	Oden	Tyson	
Cooper	James	Reynolds	Wilson	
Dumas	Lolley			—25

Nays: —0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 280. To fix the compensation of the Commissioner of Revenue.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Metcalf, the Senate non-concurred in the following House amendment to the Bill, S. B. 280, the title of which is set out in the foregoing Message from the House, to-wit:

Substitute for S. B. 280

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of certain state officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The annual salary of the Commissioner of Revenue shall be seventeen thousand five hundred dollars (\$17,500), payable out of funds appropriated to the Revenue Department.

Section 2. The Director of Aeronautics shall be entitled to an annual salary of \$13,500, which shall be payable from funds appropriated to the Department of Aeronautics.

Section 3. Any provisions of law in conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

and requested a Committee on Conference.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Metcalf, Dumas, and Shelton.

BILLS ON THIRD READING RESUMED

The Bill:

S. 395. To make an additional appropriation to the State Board of Education from the funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 19; Nays 10.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Allen	Gilchrist	Mathews	Roberts
Brannan	Givhan	McDow	Robison (Pickens)
Clark	Hammond	Montgomery	Taylor
Cooper	Hornsby	Oden	Tyson

—19

Nays:

Messrs.:	Hawkins	Nichols	Smith
Bentley	Horton	Robison (Montgomery)	Wilson
Carter	Metcalf	Shelton	

—10

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 38. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 256. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 347. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 348. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 369. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 372. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 396. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 399. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 406. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 407. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 408. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 419. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 421. Delivered to the Governor August 4, 1965, at 9:00 A. M.

- S. B. 420. Delivered to the Governor August 4, 1965, at 9:00 A. M.
 S. B. 100. Delivered to the Secretary of State, August 4, 1965, at 9:05 A. M.
 S. B. 14. Delivered to the Governor August 6, 1965, at 11:40 A. M.
 S. B. 39. Delivered to the Governor August 6, 1965, at 11:40 A. M.
 S. B. 68. Delivered to the Governor August 6, 1965, at 11:40 A. M.
 S. B. 213. Delivered to the Governor August 6, 1965, at 11:40 A. M.
 S. B. 274. Delivered to the Governor August 6, 1965, at 11:40 A. M.
 S. B. 155. Delivered to the Governor August 6, 1965, at 3:35 P. M.
 S. B. 248. Delivered to the Governor August 6, 1965, at 3:35 P. M.
 S. B. 318. Delivered to the Governor August 6, 1965, at 3:35 P. M.
 S. B. 353. Delivered to the Governor August 6, 1965, at 3:35 P. M.
 S. B. 375. Delivered to the Governor August 6, 1965, at 3:35 P. M.
 S. B. 378. Delivered to the Governor August 6, 1965, at 3:35 P. M.
 S. B. 439. Delivered to the Governor August 6, 1965, at 3:35 P. M.
 S. B. 458. Delivered to the Governor August 6, 1965, at 3:35 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 6:03 P. M., on motion of Mr. Eddins, in accordance with motion heretofore adopted, the Senate adjourned until Tuesday, August 10, 1965, at 10 o'clock A. M.

THIRTY-SECOND LEGISLATIVE DAY

TUESDAY, AUGUST 10, 1965

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by the Reverend John D. Trobaugh, Associate Pastor, First Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalfe	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Wilson
Dumas	James	Oden	

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. McCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Thirty-First Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Metcalf, leave of absence was granted Mr. Tyson for today.

REPORT OF COMMITTEE ON
ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 394. To amend Act No. 201, H. 296, Acts of Alabama Regular Session 1955, page 492, relating to public school administration; and prescribing penalties.

W. RAY LOLLEY,
Chairman.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 396. To amend Section 1, Act No. 11, S. 59, Regular Session 1959, an act fixing the compensation of certain officers of Dallas County.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Metcalf:

S. 603. To define and create the statutory offenses of inciting to felony and of inciting to misdemeanor; and to prescribe punishment therefor.

Committee on Judiciary.

By Mr. Metcalf:

S. 604. To preserve law and order by proscribing, prohibiting and penalizing incitement to crime or to riotous conduct.

Committee on Judiciary.

By Mr. Carter:

S. 605. To repeal Act No. 348, H. 803, approved August 30, 1963 (Acts of Alabama 1963, vol. 2, p. 842), entitled, "An Act To prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months, and describing penalties."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 348, H. 803, approved August 30, 1963 (Acts of Alabama 1963, vol. 2, p. 842), entitled, "An Act To prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months, and describing penalties."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 348, H. 803, approved August 30, 1963 (Acts of Alabama 1963, vol. 2, p. 842), entitled, "An Act to prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months, and describing penalties," is hereby expressly repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Leroy Sumners, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner of the Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1965.

LEROY SUMNERS,
BG.

Sworn to and subscribed before me August 9, 1965.

BEECHER HYDE,
Notary Public.

By Mr. Roberts:

S. 606. To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. Sections 7 and 8 of Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County (Acts 1963, v. 1, p. 503) are hereby amended to read as follows:

"Section 7. An applicant, at the time of filing an application for a license under this act, shall pay to the judge of probate the sum of two hundred fifty dollars (\$250) for each machine operated in Madison County by such person, firm, or corporation, if such applicant is a resident of Madison County; or the sum of three hundred fifty dollars (\$350) for each machine operated in Madison County by such person, firm, or corporation, if the applicant is a nonresident of Madison County. The health officer shall assign and affix in a conspicuous place a number to each

machine so licensed. The license fees collected hereunder shall be paid into a special fund of the county to be used in enforcing the provisions of this act.

"Section 8. Except as otherwise specifically provided herein, the licenses shall be annual, beginning on the first day of October of each year and ending on the 30th day of September of each year, and each license issued shall expire on the 30th day of September following its issuance. Any license on any machine to be placed in operation after the 30th day of February of each year for which it is issued may be issued after payment of one-half of the annual license required for the subject of such license. Any machine placed in operation without the license having been paid thereon shall be deemed delinquent and there shall be added thereto a penalty of fifteen percent of the amount of such delinquent license, the penalty to be paid over to the county license inspector."

SECTION 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared IRIS OSBORNE, who, being by me first duly sworn, deposes and says that during the times herein mentioned SHE was CLASSIFIED MANAGER of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 24, JULY 28, AUGUST 3, and AUGUST 9, all in the year 1965.

IRIS OSBORNE.

Sworn to and subscribed before me 9th day of August, 1965.

RUTH C. HIGDON,
Notary Public.

My Commission Expires 1/11/68.

By Mr. Carter:

S. 607. To amend Act No. 209, S. 120, Regular Session 1963, an act providing for and requiring reidentification of electors in Jackson County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA
COUNTY OF JACKSON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend Act No. 209, S. 120, Regular Session 1963, an act providing for and requiring reidentification of electors in Jackson County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 209, S. 120, Regular Session 1963, an act providing for and requiring reidentification of electors in Jackson County (Acts 1963, P. 606), is hereby amended to read as follows:

"Section 1. The registered electors of Jackson County whose names appeared on the published list of qualified voters at the last general election for state or county officers shall each reidentify himself or herself as provided in this Act before January 1, 1966, for the names of all those who fail, neglect, or refuse to do so shall be omitted from the lists published thereafter."

Section 2. Section 2 of said Act No. 209 of 1963 is amended to read as follows:

"Section 2. (a) A voter may reidentify himself by appearing in person before the board of registrars of the judge of probate or one of the duly authorized clerks of the board or judge and answering such questions and submitting such proof as may be set forth hereinafter to establish his identity and place of legal residence.

"(b) A voter may reidentify himself at any election at which he votes before January 1, 1966, by answering and signing the questionnaire form provided for, in the presence of a clerk, manager, inspector, or returning officer at such election, who shall also sign the questionnaire as an attesting witness. The returning officer shall transmit each signed questionnaire to the judge of probate for transmittal to the board of registrars.

"(c) The board of registrars or its duly authorized clerk may visit every precinct in the county for the purpose of reidentifying voters, and a voter may reidentify himself by appearing in person before the board or its clerk in any such precinct and answering such questions as are set forth in the questionnaire form hereinafter prescribed. Due notice of a visit to a precinct for the purpose of reidentifying voters shall be given by publication in a newspaper of general circulation in the county for at least twenty days in advance of the visit, and by posting a copy of the notice in at least three public places in the precinct for the same length of time. The board of registrars and its clerk shall be allowed no more than 30 days in excess of any maximum number of meeting days now provided by law for the purpose of reidentifying voters. The board or clerk shall be entitled to the same per diem allowances for the extra meetings as they are entitled to receive for regular meetings.

"(d) A voter who is on active duty in the armed forces of the United States or the spouse of a member of the armed forces on active duty, or any qualified elector of the county who is confined to a hospital other than a hospital for mental patients or any physically incapacitated person, who under the general laws of Alabama is qualified to vote absentee ballots, may also reidentify himself or herself by filling in and mailing to the judge of probate the completed answers to such questions as are set forth in the questionnaire form hereinafter prescribed. The voter's signature to such questionnaire must be witnessed by a commissioned officer of the branch of the armed forces to which the voter is assigned, in the case of a qualified elector on active duty in the armed forces, and by a licensed practicing physician in attendance on any physically incapacitated person who may be qualified to vote absentee ballot."

Section 3. Section 4 of said Act No. 209 is hereby amended to read as follows:

"Section 4. After December 31, 1965, the board of registrars and judge of probate of Jackson County shall omit or remove from the lists of qualified voters of the county the names of all registered electors who do not reidentify themselves as required in this Act. However, no person whose name is so removed or omitted from the lists of qualified voters shall be by that fact alone disqualified from voting in the county, nor shall he be required to register. But proof of his or her qualifications to vote must be made before he or she is allowed to vote at any election."

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA, COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 8, July 15, July 22, and Aug. 1, all in the year 1965.

FRED J. BUCHHEIT.

Sworn to and subscribed before me August 9, 1965.

EVELYN TUBBS,
Notary Public.

By Mr. Carter:

S. 608. To allow the establishment of branch banks in Jackson County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LOCAL BILL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To allow branch banking under described conditions in Jackson County.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply in Jackson County only.

Section 2. Any bank, either incorporated or unincorporated within this state and situated in such county shall have the power to establish, to maintain, and operate within the limits of any such county, where the principal place of business of such bank is situated, one or more branches

or branch banks branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payment of checks, lending of money and the conduct of a general banking business, provided that such bank before establishment of any such branch or branches shall first secure the written consent thereto of the State Superintendent of Banks or the Comptroller of the Currency. It is provided further that no bank shall establish, maintain and operate such a branch within any incorporated municipality in the county in which a bank is already established, other than the municipality in which its principal place of business is situated.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 18, July 25, Aug. 1, and Aug. 8, all in the year 1965.

FRED J. BUCHHEIT.

Sworn to and subscribed before me Aug. 9, 1965.

EVELYN TUBBS,
Notary Public.

By Mr. Hawkins:

S. 609. To authorize, provide for, and regulate the introduction in evidence in any court, when the original thereof would be relevant and material, of certified copies of certain hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining and handling such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probative value of such records, in all counties having a population of not less than 76,000 nor more than 109,000 according to the most recent federal decennial census.

Committee on Local Legislation.

By Mr. Horton:

S. 610. To alter or rearrange the boundary lines of the Town of Elkmont, Limestone County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

DESCRIPTION OF THE TOWN OF ELKMONT, ALABAMA

This description circumscribes the present town and adjacent lands surrounding said town of Elkmont, Alabama to make the present town of Elkmont.

This land includes all of Section 29, the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the east part of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the east part of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ in Section 30 and all in Township 1 South, Range 4 West according to the Government Survey of the State of Alabama and it is more particularly described as follows: Begin at the south east corner of said Section 29, thence west along the south line of Section 29 for one mile to the southwest corner of said section, thence north along the west line of said Section 29 for $\frac{3}{8}$ mile to the southeast corner of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 30, thence west along the south line of the said N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 30 for approximately 2,100 feet to the center of Alabama Highway Number 127, thence northerly along the center line of said Highway Number 127 for $\frac{1}{8}$ mile to the south line of the NE $\frac{1}{4}$ of said Section 30, thence N 0° 00' W (Magnetic Bearing) for $\frac{1}{2}$ mile to the north line of said Section 30, thence east along the north line of said Section for approximately 2,150 feet to the northeast corner of Section 30, thence continue east along the north line of Section 29 for 1 mile to the northeast corner of Section 29, thence south along the east line of Section 29 for 1 mile to the point of the beginning.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA, LIMESTONE COUNTY.

Personally appeared before me the undersigned authority in and for said county and state, Steele McGrew, who after being duly sworn deposes and says:

My name is Steele McGrew. I am editor and publisher of The Limestone Democrat a newspaper of general circulation, published weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for 4 consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 20 day of July, 1965, July 27, Aug. 3 and the last copy of said publication appearing in the said paper on the 10 day of Aug., 1965.

STEELE MCGREW.

Sworn and subscribed to before me this 10 day of August, 1965.

LOLA L. ORR,
Notary Public.

My Commission Expires 8-6-, 1967.

By Mr. Hammond:

S. 611. To alter or rearrange the boundaries of the Town of Powells Crossroads, DeKalb County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL ACT

Notice is hereby given that a local act will be introduced at the Current Session of the Legislature of Alabama, and efforts will be made to secure its passage. The substance of said Act is as follows, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundaries of the Town of Powells Crossroads, DeKalb County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto.

Be It Enacted by the Legislature of Alabama:

Section One. That the Boundaries of the Town of Powells Crossroads, DeKalb County, Alabama, be and the same are hereby altered and rearranged so as to include within the corporate limits of said Town all territory now within such corporate limits, and certain other territory in DeKalb County, Alabama contiguous thereto, all of which territory is described as follows, viz:

NW $\frac{1}{4}$ of Section 2; West $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 2; West $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 3; West $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 3; SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3; NW $\frac{1}{4}$ of Section 3; SW $\frac{1}{4}$ of Section 3; NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15; NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16; W $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 16; E $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 16; N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 16; SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9; NE $\frac{1}{4}$ of Section 9; SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9; N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 9; SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4; SW $\frac{1}{4}$ of Section 4; NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4; SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4; all said lands are located in Township 6 South of Range 7 East, and all said lands are located in DeKalb County, Alabama.

The N $\frac{1}{2}$ of NE $\frac{1}{4}$ Section 4; SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4; SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4; W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 4; SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5; NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8; all said lands are located in Township 6, South of Range 7 east, and said lands are located partially in DeKalb County, Alabama and partially in Jackson County, Alabama.

N $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 4; SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 4; N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 5; SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 5; all said lands are located in Township 6 South of Range 7 East, and all said lands are located in Jackson County, Alabama.

Section Two. That all laws and parts of law, general, local or special, in conflict with the provisions of this Act be and the same are hereby repealed.

Section Three. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Publisher's Certificate

STATE OF ALABAMA ss:
COUNTY OF DeKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Ben M. Smith publisher of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of July 15, 22, 29, August 5, 1965.

BEN M. SMITH,
Publisher.

Sworn to and subscribed before me this 5th day of August, 1965.

MARY RUTH BROWN,
Notary Public.

My commission expires January 29, 1969.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Morrow, Sessions, Vacca, Dominick, Meeks, Rast, Bailes, Brown (Jefferson), Bowers, Gilmore, Bethea (B), Perry, Etheredge and Hawkins:

H. 1176. To provide for the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000 according to the last or any subsequent Federal Census (any such county being hereinafter referred to in this title as "the County" or "such County"); to provide for the creation of a public corporation, hereinafter called "the Authority", for the purpose of establishing, maintaining and operating such civic center; to provide that the Authority shall be governed by a Board of Directors of five members; to provide that one of the members of said Board shall be the Mayor or chief executive officer of the largest municipality in the County, that one of the members of the Board shall be the President or Chairman of the governing body of the County, that two of the members of the said Board shall be elected by the members of the House of Representatives from the County and the Senator or Senators in which the County is situated, and that the four members of the Board designated or elected as hereinabove provided shall elect the fifth member of the Board; that, if there shall be a branch court house in the County, one of the members of the Board shall be a resident of the area served by such branch court house; to provide that the Board of Directors shall elect the Chairman of the Board; to provide for an alternative method of filling any directorship which is required to be filled by an election in the manner above provided and which is not filled in that manner; to provide that the affairs of the Authority shall be managed and controlled by said Board of Directors; to define the powers of the Authority and of the Board of Directors; to confer upon the Authority the power of eminent domain; to authorize the Authority to construct, maintain, control, operate and manage a civic center in the municipality wherein the county seat of the County is situated; to authorize the Authority to construct, maintain, control, operate and manage the following to be situated in the civic center: (1) buildings to provide offices used by the State of Alabama or by any agency, subdivision or public corporation thereof or by the County or by one or more municipalities thereof for any municipal purpose otherwise authorized by law; (2) buildings to house or ac-

commodate public facilities of the State of Alabama or of any agency, subdivision or public corporation thereof or of the County or of any one or more of said municipalities for any municipal purpose otherwise authorized by law; (3) streets, boulevards, walkways, parkways and parks; (4) monuments, statues and other structures beautifying the civic center; (5) community houses or meeting houses and auditoriums, arenas, convention halls and convention sites; and (6) music halls, art museums, places of recreation, art exhibits and other exhibits for the advancement of the humanities and the cultural development and edification of the citizens of the County and of the municipalities located therein; to authorize the County and any municipality thereof to lease, sell, donate or otherwise convey to the Authority real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of the County or of the municipality, provided the governing body of the County, or the municipality, as the case may be, shall first determine that such lease, sale, donation, conveyance or appropriation will benefit the people of the County, or the municipality, or as the case may be; to authorize the Authority to borrow money and to issue revenue bonds as evidence of money so borrowed, which bonds shall be payable solely from taxes payable to the Authority by any act of the Legislature heretofore or hereafter adopted and from revenues of the Authority derived from the activities, operation and enterprises in which the Authority is authorized to engage; to authorize the Authority to mortgage its property to secure the payment of the principal and interest due on said bonds; to authorize the Authority to execute such contracts and other instruments as the Authority deems necessary to secure payment of the principal and interest due on said bonds; and to repeal all laws, whether general, special or local, inconsistent with the provisions of this act.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1176. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Bethea (M), Rasi, Bethea (D), Brown (Jefferson), Meeks, Vacca, Gilmore, Sessions, Bowers, Locke and Dominick:

H. 1129. To establish in any county of this State having a population of 600,000 or more people according to the last or any future Federal census a board to review and license the exhibiting of movies to minors under eighteen (18) years of age; to provide for a judicial determination of the issue of fitness of any movie or view for viewing by minors under eighteen (18) years of age; and to provide penalties.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1129. To the Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Brannan, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Drake:

H. 597. To further promote the agricultural interests of the State by providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets; and to define the duties, powers, and authority of the Farmers' Market Authority in relation to such markets.

Mr. Taylor, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Crawford et al:

H. 1123. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing each municipality in the state to issue revenue bonds for the purpose of enlarging, improving or expanding any manufacturing, industrial or commercial project then owned by such municipality and acquired by it pursuant to the provisions of Act No. 756 (1951 Regular Session), as heretofore amended, or for the combined purpose of so enlarging, improving or expanding any such project and of refunding any revenue bonds theretofore issued by it under said Act No. 756, and providing that no such bonds shall be deemed to constitute bonds or indebtedness of the municipality by which they are issued within the meaning of Sections 222 and 225 of the Constitution if by their terms they are not made a charge on the general credit or tax revenues of such municipality and are made payable solely out of revenues to be derived by such municipality from the leasing of such project as so enlarged, improved or expanded.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Turner (Crenshaw):

H. 914. To regulate going out of business and distress merchandise sales; providing for licensing such sales; providing for enforcement of the Act and prescribing penalties for violation.

Mr. Dumas, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas:

S. 591. To amend Section 40 of Title 50, under Chapter 3 of the Recompiled Code of Alabama of 1958, relating to the general grant of power to public corporations organized under said Chapter 3, so as to permit the sale and transfer of such corporation's entire system.

Mr. James, Chairman of the Standing Committee on Mining and Manufacturing, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:

H. 222. To repeal Section 676, Title 51, Code of Alabama 1940.

Mr. Eddins, Chairman of the Standing Committee on Corporations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Crawford:

H. 1160. Relating to certain municipal corporations; amending Section 21 of Title 37, Code of Alabama, 1940, in relation to the forfeiture of charter; causes of forfeiture, by certain municipalities.

Mr. Allen, Vice-Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Carr et al:

H. 659. To amend further Code of Alabama 1940, Title 8, Section 33, which provides for non-resident trip hunting licenses, so as to increase the amount of the license and provide for use of the increment in revenue resulting therefrom.

Mr. Brannan, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Etheredge:

H. 771. To amend Chapter 7 of Title 2, Code of Alabama of 1940 by amending Section 674 thereof, as amended, relating to the qualifications, annual permit and other requirements for persons engaged in professional services or work pertaining to entomological, pathological, horticultural and floricultural, and tree surgery work including structural pest control work; and to further amend said Chapter by amending Section 676 thereof, as amended, relating to the penalty for violations by providing that persons engaging in such professional services or work without a permit may be restrained and enjoined from performing such work.

Mr. Brannan, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Salter (with amendment):

H. 31. To amend Section 10 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963, (Acts of 1963, Vol. 2, p. 931), an act regulating the labeling, sale, offering or exposing for sale or the distribution of agricultural, vegetable, flower, tree, shrub and herb seeds.

Mr. Evans, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner (Crenshaw):

H. 975. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax not exceeding five cents per acre per annum on all wooded or timber lands in this state, proceeds of which are to be placed in a special fund in the State Treasury to be expended for the purpose of furthering the forestry program of this State.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Turner (Crenshaw):

H. 974. To provide for the levy and collection of a special property tax of five cents per acre per annum on all wooded or timber lands in this state; to define "wooded or timber lands" as used in this act; to provide for the disposition of proceeds of said tax; to provide for the discontinuance of the special forest fire property assessment as provided for by Act No. 552, 1955 General Acts of Alabama, page 1208; to repeal all laws or parts of laws in conflict with the provisions of this Act.

Mr. Allen, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rogers:

H. 302. Proposing an amendment to the Constitution relating to sessions of the legislature and the compensation and allowances of members.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Allen:

S. 111. To prohibit the selling, issuing, giving, accepting, and receiving of trading stamps; and to prescribe penalties for selling, issuing, giving, accepting, or receiving such trading stamps.

By Mr. Carter:

S. 172. To regulate further vehicles using the highways of the State; providing for and regulating the compulsory inspection of motor vehicles, trailers, semi-trailers, pole trailers and mobile homes; requiring the adjustment, correction or repair of certain parts or equipment of such vehicles if such inspection discloses the necessity therefor; providing for the designation and regulation of inspection stations and the appointment of state inspectors; prescribing the fee for inspecting a vehicle and for

appointment as an inspection station; providing for the collection and use of such fees; prescribing penalties for violations of the act; authorizing and providing for the administration and enforcement of this act by the director of public safety; and repealing Act No. 542, H. 290 of the Regular Session of 1943 (Gen. Acts of 1943, p. 522) which provides for municipal vehicle testing stations.

RESOLUTIONS

Mr. Metcalf offered the following Senate Joint Resolution, to-wit:

S. J. R. 56. WHEREAS, there exist pronounced cleavages of opinion among the citizens of this State with respect to both the propriety and the pace of change in the pre-existing and traditional societal structure of the State; and,

WHEREAS, the said cleavages of opinion have resulted from conflict between the aspirations of large segments of the citizenry, on the one hand, to what they deem their collective and individual advancement as human beings and profound and sincerely held convictions of other large segments of the citizenry of the State, on the other hand, with respect to the peril and prematurity of such advancement of the aforesaid other segments; and

WHEREAS, in the exercise of their unquestioned right and privilege to seek to induce others to subscribe to their respective views, divers proponents of the conflicting sentiments mentioned above, while frequently employing clever circumlocutions and subtle suggestions, have nevertheless counseled, urged and solicited conduct which is violative of existing law; and

WHEREAS, intemperate and incendiary agitators and publicists, have exploited, and continue to exploit the aforesaid cleavages of opinion in such manner as to produce, promote and foster strife, turmoil and disorder; all inimical to the general welfare and to domestic tranquility, two of the great objects for the promotion and insuring of which both the Constitution for the United States of America and the Constitution for the State of Alabama were framed; and,

WHEREAS, in and about their efforts to inflame parts of the populace, one against the other or others, certain of the aforesaid agitators and publicists, with knowledge of the tendencies and probable consequences of their acts and conduct, have incited, urged, counseled and exhorted their listeners—whether singly addressed or in assembly, either open or clandestine—or their readers, reached either openly or clandestinely, to commit acts of violence upon the persons, or the dwelling places, or other property, or upon all said things, of groups of people other than those to whom such inflammatory remarks were directly and primarily addressed; and,

WHEREAS, with a frequency approaching uniformity, forces and groups of persons neither indigenous to this State nor at all conversant with the concrete problems involved have lent aid and comfort to the aforesaid agitators and publicists; all to the exacerbation of a situation pregnant with strife; and,

WHEREAS, despite great stress and provocation, the great body of Alabama citizens have exhibited commendable restraint in the troubled times through which we are passing; yet that restraint continues to be sorely taxed, the atmosphere remains tense, and reciprocal rankling resentments reside in the breasts of men and groups of men, one toward the other, ever responsive, in varying degrees, to the firebrand's fulminations; and,

WHEREAS, courts sitting in this State have recognized that manifold acts of criminal conduct have, and continue to be, both conceived and consummated under the colorable cloak of claimed Constitutional immunities; all too often with impunity owing to a paucity of proper penal sanctions; and,

WHEREAS, bills designed to provide such sanctions have this day been introduced in both Houses of the Legislature of Alabama, be it

THEREFORE RESOLVED BY THE LEGISLATURE OF ALABAMA, both Houses thereof concurring:

FIRST. That there exists a present menace, in the State of Alabama, to the maintenance of law and order, the insuring of domestic tranquility and the preservation of peaceable processes for the adjustment and accommodation of different opinions as to the aforesaid propriety and pace of change in the pre-existing and traditional societal structure of this State. Said menace is found in the unbridled, intemperate, inflammatory and malignant conduct of the aforesaid agitators and publicists, who would pervert liberty into licentiousness, and whose words counsel chaos and advise anarchy.

SECOND. That the Legislature of Alabama, being mindful not only of the pernicious nature of the evil here condemned but also of the pervasive nature of the Constitutional guaranties of freedom of speech, freedom of the press and freedom of assembly, hereby recognizes, finds and declares that an overriding and paramount interest in the preservation of law and order and of popular respect and regard therefor, as against imminent peril, imperatively requires the proscribing and penalizing of such abuses of the aforesaid freedoms as consist in incitement to criminal and other wrongful acts invasive of the basic human rights to life, integrity of the physical person and security in the lawful enjoyment of property rights lawfully acquired.

THIRD. That every effort consistent with due regard for the legislative process be made to facilitate and speed the passage of the presently pending bills denouncing and penalizing incitements to crime and to riotous conduct.

FOURTH. That, in any event, the Legislature of Alabama now deliberately finds, determines and declares that the continued pursuit of the pernicious practices recited in the premises hereof constitutes a clear and present danger to the maintenance of law and order and of domestic tranquility within the State of Alabama; and, further, that the Legislature of Alabama does by this resolution declare the public policy of said State to be that due respect for law and order is basic to the preservation of Constitutional government and is, therefore, paramount over any claimed, supposed or asserted liberty, privilege, immunity, power, or right to incite to criminal activity, of whatsoever degree, in furtherance of any cause however just in the abstract.

Which was read and referred to the Standing Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 463. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING

The Bill:

S. 121. To amend further Sections 110 and 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 18; Nays 3.

Yeas:

Messrs.:	Eddins	Lolley	Roberts	
Adams	Evans	Lowe	Robison (Montgomery)	
Allen	Hawkins	Metcalf	Smith	
Bentley	Hornsby	Nichols	Wilson	
Brannan	James	Reynolds		—18

Nays:

Messrs.:	Clark	Cooper	Shelton	—3
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The Bill:

S. 391. To amend Title 13, Section 240, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts	
Adams	Evans	Lowe	Robison (Montgomery)	
Allen	Gilchrist	McDow	Robison (Pickens)	
Brannan	Hawkins	Metcalf	Shelton	
Clark	Hornsby	Nichols	Smith	
Cooper	James	Reynolds	Taylor	
Dumas				—24

Nays:

—0

The Bill:

H. 25. To amend Section 1 of Act No. 912 of the Regular Session of the Legislature of 1951, approved September 12, 1951, relating to the assessment of solicitors' fees as part of the cost of appeals of judgments rendered in municipal courts.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts	
Adams	Evans	Lowe	Robison (Montgomery)	
Allen	Gilchrist	McDow	Robison (Pickens)	
Bentley	Givhan	Metcalf	Shelton	
Brannan	Hawkins	Nichols	Taylor	
Cooper	Hornsby	Oden	Wilson	
Dumas	James	Reynolds		—26

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Metcalf, further consideration of the Bills, S. B.'s 53, 54 and 59, was indefinitely postponed by the Senate.

On motion of Mr. Mathews, further consideration of the Bill, H. B. 160, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 92. To amend Act Number 663, Regular Session of the Legislature of Alabama 1961 (approved September 6, 1961), relating to the election of officers in cities and towns of this State, except cities and towns organized under a commission form of government.

Was read a third time at length and passed.

Yeas 21; Nays 3.

Yeas:

Messrs.:	Dumas	Metcalf	Robison (Montgomery)
Adams	Eddins	Nichols	Robison (Pickens)
Allen	Evans	Oden	Shelton
Bentley	Gilchrist	Reynolds	Taylor
Brannan	Hawkins	Roberts	Wilson
Clark	Mathews		—21

Nays: Messrs.: Carter, Cooper, James —3

The Bill:

H. 84. To amend Section 135 of Title 37, Code of Alabama 1940, as heretofore amended, relating to elections for extending the boundaries and annexation of territory to cities and towns.

Was read a third time at length and passed.

— Yeas 26; Nays 2.

Yeas:

Messrs.:	Cooper	Lolley	Roberts
Adams	Dumas	Lowe	Robison (Montgomery)
Allen	Eddins	McCain	Robison (Pickens)
Bentley	Evans	McDow	Smith
Brannan	Gilchrist	Metcalf	Taylor
Carter	Hawkins	Montgomery	Wilson
Clark	Hornsby	Oden	—26

Nays: Messrs.: James, Shelton —2

The Bill:

H. 515. To create an additional judgeship for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

Was read a third time at length and passed.

Yeas 27; Nay 1.

Yeas:

Messrs.:	Cooper	Lolley	Roberts
Adams	Dumas	Lowe	Robison (Montgomery)
Allen	Eddins	McCain	Robison (Pickens)
Bentley	Evans	Metcalf	Shelton
Brannan	Gilchrist	Montgomery	Smith
Carter	Hawkins	Oden	Taylor
Clark	Hornsby	Reynolds	Wilson

—27

Nay: Mr. James

—1

The Bill:

H. 266. To redivide the State into judicial circuits so as to create the Thirty-fourth Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit.

Was read a third time at length and passed.

Yeas 22; Nays 3.

Yeas:

Messrs.:	Cooper	Hornsby	Roberts
Adams	Dumas	Lolley	Robison (Montgomery)
Allen	Eddins	Lowe	Smith
Bentley	Evans	McCain	Taylor
Brannan	Gilchrist	Metcalf	Wilson
Clark	Hawkins	Oden	

—22

Nays: Messrs.: James, Robison (Pickens), Shelton

—3

The Bill:

S. 61. To create a solicitor's fund in each judicial circuit of Alabama where there does not now exist such fund; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in all circuit courts in such judicial circuits; and to authorize expenditures of said fund by the circuit solicitor for law enforcement and the discharge of the duties of his office.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Hornsby	Robison (Montgomery)
Allen	Dumas	James	Robison (Pickens)
Bentley	Eddins	Lolley	Shelton
Brannan	Evans	Lowe	Smith
Carter	Gilchrist	Metcalf	Wilson
Clark	Hawkins	Montgomery	

—22

Nays:

—0

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 463. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Trustees of the Alabama Institute for Deaf and Blind.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 9, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Board of Trustees of the Alabama Institute for Deaf and Blind:

Mr. Thomas W. Cooley, Talladega—From the Fourth District, for the term expiring November 28, 1971.

Mr. T. Euclid Rains, Albertville—From the Seventh District, for the term expiring November 28, 1971.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the State Board of Pensions and Security.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 10, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the State Board of Pensions and Security:

Mrs. Mary George Waite, Center—For the term expiring August 28, 1971.

Mr. James Record, Huntsville—For the term expiring August 28, 1971.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the State Board of Education.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 10, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, effective September 30, 1965, and subject to your confirmation, the following as members of the State Board of Education:

Cecil Word, Scottsboro—From the Eighth District, for the term expiring October 1, 1971.

Ed Dannelly, Andalusia—From the Second District, for the term expiring October 1, 1971.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 439 with a suggested executive amendment.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 10, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 439, without my signature and approval, and with a suggested executive amendment.

It is suggested that you amend Senate Bill 439 by adding at the end of Section 1, the following:

"Provided, however, such county board of education or city board of education shall provide free textbooks to all grades which would be provided under the terms of Act No. 221, Special Session, 1965, H. 40."

This suggested executive amendment is made with the full knowledge and approval of the author of said Senate Bill 439, and, if adopted, will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GCW:A

GOVERNOR'S MESSAGE

On motion of Mr. Metcalf, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 439. Relating to counties having a population of not less than 22,000 and not more than 22,350 according to the last or any subsequent federal decennial census; providing for the substitution by the county board of education in such county for use in the schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

which said amendment is set out in the foregoing Message from the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McCain	Robison (Pickens)
Brannan	Givhan	Metcalf	Shelton
Clark	Hammond	Nichols	Smith
Cooper	Hornsby	Oden	Taylor
Dumas	James	Roberts	Wilson
Eddins	Lowe		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 242. To amend Title 13, Section 255, Code of Alabama 1940, as amended, pertaining to the appointment of deputy circuit solicitors for the Fifteenth Judicial Circuit and their salaries.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

Amendment to S. B. 242

Amend S. B. 242 by striking therefrom Section 1 in its entirety and inserting in lieu thereof the following:

"Section 1. There may be appointed by the circuit solicitor of the fifteenth judicial circuit three deputy solicitors who shall serve in lieu of all other assistant circuit solicitors heretofore provided for said circuit. The deputy circuit solicitors herein provided for shall serve at the pleasure of the circuit solicitor. One shall be paid an annual salary by the state in the amount of four thousand eight hundred dollars (\$4,800.00) and two shall be paid an annual salary by the state in the amount of four thousand two hundred dollars (\$4,200.00), payable as the salaries of other state officers are paid. At the time of their appointment the circuit solicitor shall designate which deputy circuit solicitor shall receive which salary. There is hereby appropriated for each of the fiscal years ending September 30, 1966 and September 30, 1967 the amount of thirteen thousand two hundred dollars (\$13,200.00) for the payment of the salaries of the three assistant circuit solicitors provided for in this section, which shall be in lieu of all other appropriations heretofore made for the salary of deputy circuit solicitors for the fifteenth judicial

circuit. The deputy circuit solicitors of the fifteenth judicial circuit shall not be subject to the provisions of subsection 12 of section 229, Title 13, Code of Alabama 1940."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Roberts
Adams	Dumas	Lolley	Robison (Montgomery)
Allen	Eddins	Lowe	Robison (Pickens)
Bentley	Evans	Mathews	Shelton
Brannan	Givhan	McCain	Smith
Carter	Hawkins	Metcalf	Wilson
Clark	Hornsby		

—25

Nays: —0

And said Bill, S. B. 242, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Clark	James	Metcalf
Adams	Cooper	Lolley	Roberts
Allen	Eddins	Lowe	Robison (Montgomery)
Bentley	Givhan	Mathews	Smith
Brannan	Hawkins	McDow	Wilson
Carter	Hornsby		

—21

Nays: —0

The Bill:

S. 205. To fix the compensation of certain State Officers.

was taken up.

Mr. Shelton offered the following amendment to the Bill, S. B. 205, to-wit:

Amendment to S. B. 205

Amend Senate Bill 205 by substituting the figures of \$11,000.00 for the figures \$13,500.00.

Which was lost.

Yeas 11; Nays 17.

Yeas:

Messrs.:	Dumas	Montgomery	Robison (Pickens)
Allen	Hammond	Oden	Shelton
Brannan	James	Roberts	Taylor

—11

Nays:

Messrs.:	Evans	Lolley	Metcalf
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Clark	Givhan	Mathews	Smith
Cooper	Hawkins	McCain	Wilson
Eddins	Hornsby		

—17

Mr. Taylor offered the following amendment to the Bill, S. B. 205, to-wit:

Amendment to S. B. 205

In Section 1, strike out the words and figures "The State Auditor,"

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 17; Nays 9.

Yeas:

Messrs.:	Evans	Lolley	Roberts
Carter	Gilchrist	Lowe	Robison (Montgomery)
Clark	Givhan	McCain	Smith
Cooper	Hawkins	Nichols	Wilson
Eddins	Hornsby		

—17

Nays:

Messrs.:	James	Reynolds	Shelton
Allen	Metcalfe	Robison (Pickens)	Taylor
Brannan	Montgomery		

—9

Mr. Clark offered the following amendment to the Bill, S. B. 205, to-wit:

Amendment to S. B. 205

Amend Senate Bill 205 by substituting the figures of twelve thousand (\$12,000.) dollars for the figures \$13,500. wherever they may appear

On motion of Mr. Cooper, further consideration of the Bill, S. B. 205, and pending amendment, was postponed until the next Legislative Day.

The Bill:

S. 99. To further promote the agricultural interests of the State by providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets; and to define the duties, powers, and authority of the Farmers' Market Authority in relation to such markets.

was taken up.

Mr. Robison (Montgomery) moved that further consideration of the Bill, S. B. 99, be postponed until the next Legislative Day. On motion of Mr. Metcalfe, the motion to postpone was laid on the table.

Yeas 18; Nays 8.

Yeas:

Messrs.:	Clark	Lolley	Nichols
Adams	Givhan	Lowe	Reynolds
Allen	Hammond	Mathews	Taylor
Brannan	Hawkins	Metcalfe	Wilson
Carter	Hornsby	Montgomery	

—18

Nays:

Messrs.:	Gilchrist	McDow	Robison (Pickens)
Dumas	McCain	Robison (Montgomery)	Smith
Eddins			

—8

And said Bill, S. B. 99, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 7.

Yeas:

Messrs.:	Clark	Hawkins	Nichols
Adams	Cooper	Hornsby	Reynolds
Allen	Evans	Lolley	Smith
Bentley	Gilchrist	Lowe	Taylor
Brannan	Givhan	Metcalf	Wilson
Carter	Hammond	Montgomery	

—22

Nays:

Messrs.:	Eddins	McDow	Robison (Picksen)
Dumas	McCain	Robison (Montgomery)	Shelton

—7

HOUSE REQUESTED TO RETURN HOUSE BILL

On motion of Mr. Metcalf, the Senate requested the House to return to the Senate for further consideration the following House Bill:

H. 442. Relating to the Inferior Court of Geneva County: withdrawing and taking away the equity jurisdiction of the court, and providing for transfer of pending cases.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 419, without his approval.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 10, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 419, without my signature and approval.

This bill is identical to House Bill 798, which was approved by me on July 30, 1965 and is now Act 201.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Nichols, the Senate sustained the Governor's veto to the Bill, S. B. 419, which said veto is set out in the foregoing Message from the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	McDow	Shelton
Bentley	Givhan	Metcalf	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Reynolds	Wilson
Dumas	James		

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 360. To provide for an exemption from ad valorem taxation of certain agricultural products stored in licensed warehouses.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Hornsby	Montgomery
Adams	Dumas	Horton	Reynolds
Allen	Eddins	James	Robison (Montgomery)
Bentley	Evans	Lolley	Robison (Pickens)
Brannan	Gilchrist	Lowe	Smith
Carter	Givhan	Mathews	Taylor
Clark	Hawkins	McDow	Wilson

—27

Nays:

—0

The Bill:

H. 310. To authorize and provide for the pooling of their liabilities by employers under the workmen's compensation law for the purpose of becoming self-insurers under such law.

was taken up.

Mr. Carter offered the following amendment to the Bill, H. B. 310, to-wit:

Amend H. B. 310 by adding thereto the following:

Section 1 (a)

Each individual self-insured employer or group of employers shall deposit with the Department of Industrial Relations acceptable securities or post a surety bond issued by a corporate surety authorized to do business in the State of Alabama in the amount of at least \$100,000. The Department of Industrial Relations may require a larger bond if necessitated to protect the public.

On motion of Mr. Smith, said amendment was laid on the table.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Cooper	Lowe	Roberts
Adams	Eddins	Mathews	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hawkins	Metcalf	Smith
Brannan	Horton	Reynolds	Wilson
Clark	James		

—21

Nays:

Messrs.:	Gilchrist	Lolley	Shelton
Carter	Hornsby	Montgomery	Taylor
Dumas			

—8

Mr. Carter then offered the following amendment to the Bill, H. B. 310, to-wit:

Amendment to H. B. 310

Amend H. B. 310 by adding thereto the following:

Section 1 (a)

For the general support of the government of this state there is levied upon each self-insurer or organized group of self-insurers a tax at the rate of four percent of the gross amount to be paid by itself or the organization for workmen's compensation coverage. The organization, or the self-insurer, if there is no organization, shall withhold the amount of the tax and within 90 days from the date of withholding shall submit same to the General Fund of the State of Alabama.

On motion of Mr. Smith, said amendment was laid on the table.

Yeas 22; Nays 6.

Yeas:

Messrs.:	Dumas	James	Reynolds
Adams	Eddins	Lowe	Robison (Montgomery)
Bentley	Gilchrist	Mathews	Robison (Pickens)
Brannan	Givhan	McCain	Smith
Clark	Hammond	Metcalf	Wilson
Cooper	Hawkins	Montgomery	

—22

Nays:

Messrs.:	Hornsby	Roberts	Taylor
Carter	Lolley	Shelton	

—6

Mr. Carter then offered the following amendment to the Bill, H. B. 310, to-wit:

Amendment to H. B. 310

Amend H. B. 310 by adding thereto the following:

Section 1 (a)

An insurer qualified to write workmen's compensation in this state may issue a policy insuring subject employers as a group provided the following conditions are met:

1. All the employers in the group are members of an organization that has been in existence for at least two years.

2. The organization was formed for a purpose other than that of obtaining workmen's compensation coverage.

3. The occupations of the employers and the organization are substantially similar, taking into consideration the nature of the services being performed by workmen of such employers.

4. The employers in the group constitute at least 50 percent of the total employers in such organization, unless the total number of workmen to be covered in the group exceeds 500, in which event the employers in the group must constitute at least 25 percent of all employers in the organization.

5. The formation and operation of a group program in the organization will substantially improve accident prevention and claims handling for the employers in the group.

On motion of Mr. Smith, said amendment was laid on the table.

Yeas 24; Nays 6.

Yeas:

Messrs.:	Eddins	James	Montgomery
Adams	Gilchrist	Lowe	Reynolds
Allen	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Smith
Clark	Hornsby	Metcalf	Wilson
Cooper			—24

Nays:

Messrs.:	Dumas	Roberts	Taylor
Carter	Lolley	Shelton	—6

And said Bill, H. B. 310, was then read a third time at length and passed.

Yeas 27; Nays 5.

Yeas:

Messrs.:	Dumas	Horton	Metcalf
Adams	Eddins	James	Oden
Allen	Gilchrist	Lolley	Roberts
Bentley	Givhan	Lowe	Robison (Montgomery)
Brannan	Hammond	Mathews	Robison (Pickens)
Clark	Hawkins	McCain	Smith
Cooper	Hornsby	McDow	Wilson
			—27

Nays:

Messrs.:	Montgomery	Shelton	Taylor
Carter	Nichols		—5

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate and returns to the Senate the following House bill:

H. B. 442. Relating to the Inferior Court of Geneva County: withdrawing and taking away the equity jurisdiction of the court, and providing for transfer of pending cases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Metcalf, the Senate reconsidered the vote by which it passed the Bill, H. B. 442, the title of which is set out in the foregoing Message from the House.

On motion of Mr. Metcalf, the Senate then reconsidered the vote by which the Bill, H. B. 442, was ordered to its third reading.

Mr. Metcalf then offered the following amendment to the Bill, H. B. 442, to-wit:

Amendment to H. B. 442

In Section 1, add at the end thereof the following sentence: Hereafter, no secretarial or clerical help may be employed or hired by the court without first being budgeted and approved by the court of county commissioners.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Pickens)
Allen	Givhan	Metcalf	Shelton
Bentley	Hammond	Nichols	Smith
Brannan	Hawkins	Oden	Taylor
Carter	Hornsby	Reynolds	Wilson
Clark	Lowe		
			—25

Nays:

—0

And said Bill, H. B. 442, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Pickens)
Allen	Givhan	Metcalf	Shelton
Bentley	Hammond	Nichols	Smith
Brannan	Hawkins	Oden	Taylor
Carter	Hornsby	Reynolds	Wilson
Clark	Lowe		
			—25

Nays:

—0

RECESS

At 1:18 P. M., on motion of Mr. Gilchrist, the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION
THIRTY-SECOND LEGISLATIVE DAY
TUESDAY, AUGUST 10, 1965

The Senate re-assembled at 2:30 P. M., Lieutenant Governor Allen presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Wilson
Dumas	James	Oden	

—34

BILLS ON THIRD READING

The Bill:

S. 279. To amend Sections 2 and 5 of Act No. 157, H. 126, Second Special Session 1963, the act establishing the University of South Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Montgomery
Adams	Evans	James	Roberts
Allen	Gilchrist	Lolley	Robison (Montgomery)
Bentley	Givhan	Lowe	Robison (Pickens)
Brannan	Hawkins	McCain	Smith
Cooper	Hornsby	McDow	Taylor

—23

Nays:

—0

RESOLUTIONS

Messrs. Lolley, Adams, Allen, Bentley, Brannan, Carter, Clark, Cooper, Dumas, Eddins, Evans, Gilchrist, Givhan, Hammond, Hawkins, Hornsby, Horton, James, Lowe, Mathews, McCain, McDow, Metcalf, Montgomery, Nichols, Oden, Reynolds, Roberts, Robison (Montgomery), Robison (Pickens), Shelton, Smith, Taylor, Tyson, Wilson and Lieutenant Governor Allen offered the following Senate Joint Resolution, to-wit:

S. J. R. 57. WHEREAS, Miss Linda Folsom of New Brocton has recently been elected "Miss Alabama," and, therefore, will represent Alabama in the "Miss America Contest" at Atlantic City; and

WHEREAS, Miss Folsom's natural, unsophisticated beauty, exceptional coloratura soprano voice, winsome manner and charming personality make her a likely choice for "Miss America," now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are most pleased to have our State represented by such a beautiful, talented and poised young lady as Miss Folsom; we commend the judges who selected her to represent this State for their excellent taste and judgment, and extend our felicitations to Miss Folsom on winning the first hurdle to becoming Miss America. Our best wishes will go with Miss Folsom to Atlantic City. If a pretty, talented, wholesome young lady, who typifies the best in America today is sought for "Miss America of 1966" then we are confident that Miss Folsom will be the winner.

RESOLVED FURTHER, that we invite Miss Folsom to visit the Senate and House of Representatives of the Alabama Legislature at her convenience, provided her busy schedule permits.

On motion of Mr. Lolley, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 35. To amend Title 14, Section 217, Code of 1940.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	James	Nichols
Adams	Eddins	Lolley	Robison (Montgomery)
Allen	Evans	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalf	Smith
Clark	Hawkins	Montgomery	Taylor
Cooper	Horton		

—25

Nays:

—0

The Bill:

S. 36. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so induce such bank; and to provide the penalties for violation of this act.

was taken up.

Mr. Taylor moved that further consideration of the Bill, S. B. 36, be postponed until the Thirty-Sixth Legislative Day. On motion of Mr. Evans, the motion to postpone was laid on the table.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	Horton	Montgomery	Taylor
Clark	James	Nichols	Wilson

—23

Nays:

—0

Mr. Taylor then moved that further consideration of the Bill, S. B. 36, be postponed until the Thirty-Fourth Legislative Day. On motion of Mr. Evans, the motion to postpone was laid on the table.

Yeas 20; Nay 1.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Allen	Gilchrist	McCain	Roberts
Brannan	Hawkins	McDow	Robison (Montgomery)
Carter	Horton	Montgomery	Smith
Clark	Lolley	Nichols	Wilson
Eddins			—20

Nay: Mr. Taylor —1

And said Bill, S. B. 36, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nay 1.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Roberts
Allen	Evans	McCain	Robison (Montgomery)
Bentley	Gilchrist	McDow	Robison (Pickens)
Brannan	Givhan	Metcalf	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Horton	Nichols	Wilson
Cooper			—28

Nay: Mr. Taylor —1

The Bill:

H. 144. To make a conditional appropriation from the Alabama special educational trust fund for the reconstruction of the John Essex School, in Marengo County, and for replacement of equipment destroyed by fire.

was taken up.

Mr. Shelton offered the following amendment to the Bill, H. B. 144, to-wit:

Amendment to H. B. 144

H. B. 144 is amended by striking the following from Section 1. thereof:

"is hereby appropriated from any funds in the State Treasury to the credit of the Alabama special educational trust fund not otherwise appropriated,"

and substituting in lieu thereof:

"is hereby appropriated from any funds received by Marengo County under the provisions of Act 243 of 1965 special session,"

On motion of Mr. Eddins, said amendment was laid on the table.

Yeas 19; Nays 8.

Yeas:

Messrs.:	Cooper	Hawkins	Montgomery
Adams	Eddins	Hornsby	Reynolds
Allen	Evans	Horton	Robison (Montgomery)
Brannan	Gilchrist	Lolley	Robison (Pickens)
Clark	Givhan	Lowe	Smith

—19

Nays:

Messrs.:	McCain	Roberts	Taylor
Bentley	McDow	Shelton	Wilson
Dumas			

—8

Mr. McCain moved that further consideration of the Bill, H. B. 144, be postponed until the Thirty-Sixth Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 208. To redistrict the State and provide for the election of congressmen by districts, amending Code 1940, Title 17, Section 425.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 494. To make it unlawful for minors to attempt to purchase, to purchase, consume, possess or transport alcohol, liquor or malt or brewed beverages; to provide penalties for violations.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Montgomery
Adams	Dumas	Horton	Reynolds
Allen	Eddins	James	Robison (Montgomery)
Bentley	Evans	Lolley	Robison (Pickens)
Brannan	Gilchrist	Mathews	Shelton
Carter	Givhan	McCain	Smith
Clark	Hammond	McDow	Taylor

—27

Nays:

—0

FURTHER CONSIDERATION OF H. B. 144

The Senate proceeded to further consideration of the Bill, H. B. 144. The question was on the motion of Mr. McCain to postpone further consideration of the Bill until the Thirty-Sixth Legislative Day.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 208. To redistrict the State and provide for the election of congressmen by districts, amending Code 1940, Title 17, Section 425.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

MOTION TO READ AT LENGTH

Mr. Dumas moved that the reading at length of the Bill, S. B. 208, the title of which is set out in the foregoing Report from the Committee on Enrolled Bills, be dispensed with under the provisions of Section 66 of the Constitution.

MOTION TO ADJOURN LOST

At 7:05 P. M., Mr. Gilchrist moved that the Senate adjourn until Friday, August 13, 1965, at 10 o'clock A. M., which motion was lost.

Yeas 10; Nays 18.

Yeas:

Messrs.:	Gilchrist	Hornsby	Shelton	
Bentley	Hammond	McCain	Smith	
Dumas	Hawkins	Roberts		—10

Nays:

Messrs.:	Cooper	Lowe	Reynolds	
Adams	Eddins	McDow	Robison (Montgomery)	
Allen	Givhan	Montgomery	Robison (Pickens)	
Brannan	James	Nichols	Taylor	
Clark	Lolley	Oden		—18

FURTHER CONSIDERATION OF S. B. 208

The question recurred on the motion of Mr. Dumas to dispense with the reading at length of the Bill, S. B. 208.

On motion of Mr. Cooper, further consideration of the motion of Mr. Dumas was postponed until the next Legislative Day.

FURTHER CONSIDERATION OF H. B. 144

The Senate proceeded to further consideration of the Bill, H. B. 144. The question was on the motion of Mr. McCain to postpone further consideration of the Bill until the Thirty-Sixth Legislative Day.

MOTION TO ADJOURN

Mr. Reynolds moved that when the Senate adjourns today, it adjourn to meet again on Friday, August 13, 1965, at 10 o'clock A. M., which motion was adopted.

FURTHER CONSIDERATION OF H. B. 144

The Senate proceeded to further consideration of the Bill, H. B. 144. The question was on the motion of Mr. McCain to postpone further consideration of the Bill until the Thirty-Sixth Legislative Day.

On motion of Mr. Eddins, the motion to postpone was laid on the table.

Yeas 21; Nays 5.

Yeas:

Messrs.:	Eddins	Horton	Reynolds
Adams	Gilchrist	James	Robison (Montgomery)
Allen	Givhan	Lolley	Robison (Pickens)
Brannan	Hammond	Lowe	Smith
Clark	Hawkins	Nichols	Taylor
Cooper	Hornsby		

—21

Nays:

Messrs.:	Dumas	McDow	Shelton
Bentley	McCain		

—5

On motion of Mr. Lowe, further consideration of the Bill, H. B. 144, as unfinished business, was postponed until the next Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 119. To amend Section 13 of Act No. 252 of the 1955 Regular Session of the Legislature of Alabama, Approved August 18, 1955.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Reynolds
Adams	Eddins	James	Roberts
Allen	Gilchrist	Lolley	Robison (Montgomery)
Bentley	Givhan	Lowe	Robison (Pickens)
Brannan	Hammond	McCain	Shelton
Clark	Hawkins	McDow	Smith
Cooper	Hornsby	Nichols	Taylor

—27

Nays:

—0

The Bill:

S. 210. To better provide for the public health by providing for the regulation and approval of schools of nursing, for the examination, regulation and licensing of professional and practical nurses; to create and define the powers of the Board of Nursing and the Advisory Council for practical nursing; to provide for the appointment and prescribe the terms of office, duties and compensation of members of such Board and of such Council; to provide for disciplining licensees and for appeals from decisions of the said Board; to prescribe penalties for violation of the provisions of this Act; and to make appropriations for the purpose of carrying out this Act.

was taken up.

Mr. Smith offered the following amendment to the Bill, S. B. 210, to-wit:

Amendment to S. B. 210

Amend S. B. 210 by deleting the phrase "and to make appropriations for the purpose of carrying out this Act." from the caption thereof, and substituting in lieu thereof the following phrase: "and to make further provisions for the purpose of carrying out this Act."

Mr. Lolley offered the following substitute for the Bill, S. B. 210, and pending amendment, to-wit:

Substitute for S. B. 210

**A BILL
TO BE ENTITLED
AN ACT**

To better provide for the public health by providing for the regulation and approval of schools of nursing, for the examination, regulation and licensing of professional and practical nurses; to create and define the powers of the Board of Nursing and the Advisory Council for practical nursing; to provide for the appointment and prescribe the terms of office, duties and compensation of members of such Board and of such Council; to provide for disciplining licensees and for appeals from decisions of the said Board; to prescribe penalties for violation of the provisions of this Act; and to make appropriations for the purpose of carrying out this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Purpose. In order to safeguard life and health, any person practicing or offering to practice professional nursing or practical nursing in this state, for compensation, shall hereafter be required to submit evidence that he or she is qualified so to practice and shall be licensed as hereinafter provided. After January 1, 1968, it shall be unlawful for any person not licensed under the provisions hereof to practice or offer to practice professional nursing, for compensation, in this state. After January 1, 1971, it shall be unlawful for any person not licensed under the provisions hereof to practice or offer to practice practical nursing, for compensation, in this state. It shall be unlawful for any person employed for compensation and not licensed under the provisions hereof to use any sign, card or device to indicate that such person is a professional registered nurse or a licensed practical nurse.

Section 2. Definition. As used in this Act, the word "Board" means the Board of Nursing created hereunder. The term "Advisory Council" means the Advisory Council created hereunder. The term "practice of professional nursing" means the performance, for compensation, of any acts in the observation, care and counsel of the ill, injured or infirm, or in the maintenance of health or prevention of illness of others or in the supervision and teaching of other personnel, or the administration of medications and treatments as prescribed by a licensed physician or a licensed dentist; requiring substantial specialized judgment and skill and based on knowledge and application of the principles of biological, physical and social science. The foregoing shall not be deemed to include acts of diagnosis or prescription of therapeutic or corrective measures. The term "practice of practical nursing" means the performance, for compensation, of acts in the care of the ill, injured or infirm under the direction of a licensed professional nurse or a licensed physician or a licensed dentist; and not requiring the substantial

specialized skill, judgment and knowledge required in professional nursing. "Licensed professional nurse" shall mean a person who has been licensed to practice professional nursing. "Licensed practical nurse" shall mean a person who has been licensed to practice practical nursing.

Section 3. BOARD OF NURSING. There is hereby created the Board of Nursing, which shall be composed of nine (9) members to be appointed as hereinafter provided for, which shall have the duties and powers hereinafter enumerated. The Governor shall appoint the members of the Board for terms as follows:

- Two for a term of one year;
- Two for a term of two years;
- Two for a term of three years, and
- Three for a term of four years.

As the terms of the members expire, their successors shall be appointed for terms of four years each. Vacancies in unexpired terms shall be filled in the same manner as original appointments are made. No member shall be appointed to more than two consecutive terms of four years each. Five (5) members of the Board shall be licensed professional nurses, two (2) members of the Board shall be licensed practical nurses and two (2) members of the Board shall be licensed physicians. The Governor shall appoint the members of the Board who are to be licensed professional nurses from a list of nominees furnished him by the Board of Directors of the Alabama State Nurses' Association and such list, when furnished, shall contain at least twice the number of nominees as there are appointments to be made or vacancies to be filled. The Board of Directors of the Alabama State Nurses' Association shall, on or before December 1st of each year, or at such other times as necessary, furnish the Governor with a list of licensed professional nurses qualified for appointment to the Board, and the Governor shall appoint the members of the Board from the list of nominees so submitted. The Governor shall appoint the members of the Board who are to be licensed practical nurses from a list of nominees furnished him by the Board of Directors of The Licensed Practical Nurses Association of Alabama and such list, when furnished, shall contain at least twice the number of nominees as there are vacancies to be filled. The Board of Directors of The Licensed Practical Nurses Association of Alabama shall on or before December 1 of each year, or at such other times as necessary, furnish the Governor with a list of licensed practical nurses qualified for appointment to the Board, and the Governor shall appoint the members of the Board from the list of nominees so submitted. The Governor shall appoint the members of the Board who are to be licensed physicians from among those physicians duly licensed under the laws of this state who are of good standing in their profession. The Governor may remove any member from the Board for neglect of duty of the Board, incompetency or unprofessional or dishonorable conduct. Each person appointed to the Board as a licensed professional nurse shall be a citizen of the United States and a resident of the State of Alabama and shall have these additional qualifications: Be a graduate of a state approved educational program for the preparation of practitioners of professional nursing; be a currently licensed professional nurse in Alabama; have a minimum of five years successful nursing experience in an administrative or a teaching capacity; and shall be actively engaged in professional nursing in this state immediately preceding appointment. Each person appointed to the Board as a licensed practical nurse shall be a citizen of the United States and a resident of the State of Alabama and shall have these additional qualifications: Be a graduate of a state approved vocational education program for the preparation of practitioners of licensed practical nursing; hold a diploma from an accredited high school or its equivalent; be a currently

licensed practical nurse in Alabama; have a minimum of five years successful nursing experience; and shall be actively engaged in licensed practical nursing in this state immediately preceding appointment.

It is provided, however, in order to insure continuity of administration, that the present five (5) nurse members of the Board of Nurses' Examiners and Registration shall continue to serve as the licensed professional nurses to be members of the Board and the Governor shall so appoint such members. In addition, the Governor shall appoint the initial two members of the Board who are to be licensed practical nurses and the initial two members of the Board who are to be licensed physicians in the manner as herein provided.

The Board shall have the following powers and perform the following duties: It shall meet at least once a year and shall, at its organizational meeting and at its annual meetings thereafter, elect from its members a President, a Vice President and a Secretary. It may hold such other and additional meetings during any year as it deems necessary for the transaction of business. A majority of the Board, including one officer, shall constitute a quorum at any meeting.

The Board is authorized to:

(1) Adopt and, from time to time, revise such rules and regulations, not inconsistent with law, as may be necessary to enable it to carry into effect the provisions of this Act;

(2) Prescribe standards and approve curricula for educational programs preparing persons for licensure under this Act;

(3) Provide for surveys and evaluations of such programs at such times as it may deem necessary;

(4) Approve such programs as meet the requirements of this Act and of the Board; provided, however, that in practical nursing programs conducted under the auspices of the State Board of Education, it shall consult with the Board of Education in the approval of such programs of said Board;

(5) Deny or withdraw approval from educational programs for failure to meet prescribed standards;

(6) Examine, license, and renew the licenses of duly qualified applicants and require employers to submit listings of personnel covered by this Act to the Board upon request;

(7) Conduct hearings upon charges calling for discipline of a licensee or revocation of a license;

(8) Have the power to issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at hearings;

(9) Cause the prosecution of all persons violating the provisions of this Act and incur such necessary expenses therefor;

(10) Keep a confidential record of all its proceedings;

(11) Keep a register of all licensees;

(12) Make an annual report to the Governor;

(13) Appoint and employ a qualified person, not subject to the State Merit System, who shall not be a member of the Board, to serve as Executive Officer;

(14) Define the duties and fix the compensation for the Executive Officer;

(15) Employ such other persons as may be necessary to carry on the work of the Board and provide for appropriate bonding of employees; regular employees of the Board shall be employed subject to the State Merit System in effect upon the effective date of this Act or at the time of employment;

(16) Employ consultants, specialists, counsel or other specially qualified persons under contract or on a part time basis to assist it in administering this Act and without regard to the State Merit System in effect at or after the effective date of this Act and to pay for the services of such persons;

(17) Accept gifts and grants upon terms and conditions imposed by it through official resolutions;

(18) Perform such other duties, not inconsistent with law, as required by this Act to foster and improve nursing and the regulation thereof and the public health of this state;

(19) Expend funds of the Board in exercising its powers and duties and in administering this Act.

The Board of Nurses' Examiners and Registration is hereby abolished.

The Executive Officer, employed by the Board as provided for herein, shall be a citizen of the United States and a person of the highest integrity and shall possess these additional qualifications:

Be a licensed professional nurse in Alabama or eligible for licensure and be a graduate of a professional nursing program approved by the State in which the program was completed, and have had a varied experience in nursing, including at least five years experience in an administrative or teaching capacity.

The Executive Officer shall be bonded for the faithful performance of the duties of the office in the sum of not less than Five Thousand (\$5,000.00) Dollars, and the premium of the bond shall be paid out of the funds of the Board.

Each member of the Board shall receive Fifteen (\$15.00) Dollars per day for attendance at the Board meetings, together with necessary travel and other expenses incurred in the discharge of his or her duties as a Board member. In addition, any member of the Board engaged in duties, under the direction of the Board, shall receive Fifteen (\$15.00) Dollars per day and necessary expenses.

Section 4. ADVISORY COUNCIL FOR PRACTICAL NURSING. There is hereby created an Advisory Council for practical nursing. The purpose of this Council shall be to confer and discuss with the Board on matters pertaining to practical nursing. The Advisory Council shall consist of five (5) members, four of whom shall be licensed practical nurses and one a hospital administrator. The licensed practical nurse members shall be appointed by the Board of Directors or other governing body of the Licensed Practical Nurses Association of Alabama, and the hospital administrator member shall be appointed by the Board of Directors or other governing body of the Alabama Hospital Association. Each member shall be appointed for a term of four years. No member shall be appointed to more than two consecutive terms of four years each. Their successors shall likewise be appointed for a term of four years and any vacancies in the unexpired terms shall be filled in the same manner as original appointments are made. The Advisory Council shall hold at least one meeting annually and shall meet at any other time upon the call of the President of the Board. Members of the Advisory Council shall receive Fifteen (\$15.00) Dollars per day for attendance at its meetings or in the discharge of their official duties, together with necessary travel

and other expenses incurred. It is provided, however, in order to insure continuity of administration, that the present members of the Advisory Council shall continue to serve to completion the term for which they are now serving.

The Advisory Council, created by Act No. 292, approved July 9, 1945, General Acts of Alabama, 1945, page 482, is hereby abolished.

Section 5. LICENSED PROFESSIONAL NURSES (REGISTERED NURSES). An applicant for a license to practice professional nursing as a registered nurse shall submit to the Board written evidence of qualification, verified by oath, that said applicant is of good moral character, holds a diploma from an accredited high school or the equivalent thereof, in the opinion of the Board, and has successfully completed an educational program in a state approved school of nursing, and is a citizen of the United States or has legally declared the intention of becoming a citizen. A license to practice professional nursing as a registered nurse may be obtained in the following manners:

(1) **By Examination.** The applicant shall be required to pass an examination on such subjects as the Board may determine and, upon successfully passing such examination, the Board shall issue such applicant a license.

(2) **By Endorsement.** The Board may issue a license to practice professional nursing as a registered nurse to an applicant who has been duly licensed as a registered nurse under the laws of another state, territory or foreign country, if, in the opinion of the Board, such applicant meets the qualifications required of registered nurses in this state at the time of his or her graduation.

(3) **By Waiver.** Applications for license under this provision shall be made on or before January 1, 1968. The Board may issue a license to practice as a registered nurse to a person who, on the effective date of this Act, does not hold a valid license to practice professional nursing in this state but who has completed a professional nursing educational program which was approved by an official licensing agency and who, in the opinion of the Board, is otherwise qualified, and who has practiced professional nursing in this state for at least three (3) years within the five-year period preceding January 1, 1968, and who passes an examination given by the Board.

(4) **By Temporary Permit.** The Board may issue temporary permits to practice professional nursing to graduates of approved schools of nursing pending completion of licensing procedures; to qualified applicants pending licensure procedures under Paragraph (2) above, captioned "By Endorsement"; and to those nurses licensed by other states who will practice in this state for a period of one year or less, subject to the discretion of the Board.

Any person who holds a license to practice professional nursing as a registered nurse in this state, shall have the right to use the title "Registered Nurse" and the abbreviation "R.N." No other person shall assume or use such title or abbreviation or other words, letters, signs or devices to indicate that the person using same is licensed to practice professional nursing as a registered nurse.

Any person holding a license or certificate of original registration to practice nursing as a registered nurse, issued by the Board of Nurses' Examiners and Registration, created by Act No. 96 of the Regular Session of the Alabama Legislature, 1945, and which was valid on December 31, 1965, shall be eligible for licensing to practice professional nursing as a registered nurse under the provisions of this Act.

Section 6. LICENSED PRACTICAL NURSES. An applicant for a license to practice practical nursing as a licensed practical nurse shall submit to the Board written evidence of qualification, verified by oath, that said applicant is of good moral character, has a diploma from an accredited high school, or the equivalent thereof, in the opinion of the Board, and has successfully completed an educational program of at least one year's duration in a state approved school of practical nursing, or the equivalent thereof, in the opinion of the Board, and is a citizen of the United States or has legally declared the intention of becoming a citizen. A license to practice as a licensed practical nurse may be obtained in the following manners:

(1) By Examination. The applicant shall be required to pass an examination on such subjects as the Board may determine and, upon successfully passing such examination, the Board shall issue such applicant a license.

(2) By Endorsement. The Board may issue a license to practice practical nursing as a licensed practical nurse to an applicant who has been duly licensed as a licensed practical nurse (irrespective of the title or designation granted when such license was issued) under the laws of another state, territory or foreign country, if, in the opinion of the Board, such applicant meets the requirements for licensed practical nurses in this state at the time of his or her graduation.

(3) By Waiver. Application for license under this provision shall be made on or before January 1, 1971. The Board may issue a license to practice as a licensed practical nurse to a person who, on the effective date of this Act, does not hold a valid license to practice practical nursing in this state but who, in the opinion of the Board, is otherwise qualified, and who has practiced practical nursing in this state for at least three (3) years within the five-year period preceding the application for license under this subsection, and who passes an examination given by the Board.

(4) By Temporary Permit. The Board may issue a temporary permit to practice practical nursing as a licensed practical nurse to graduates of approved schools of practical nursing pending the completion of licensing procedures in Alabama; to qualified applicants pending licensing procedures under Paragraph (2) above, captioned "By Endorsement".

Any person who holds a license to practice practical nursing as a licensed practical nurse in this State shall have the right to use the title "Licensed Practical Nurse" and the abbreviation "L. P. N." No other person shall assume or use such title or abbreviation or any other words, letters, signs or devices to indicate that the person using the same is licensed to practice practical nursing as a licensed practical nurse.

Any person holding a license or certificate of original registration to practice practical nursing as a licensed practical nurse, issued by the Board of Nurses' Examiners and Registration and issued by said Board under the provisions of Act No. 292 of the Regular Session of the Alabama Legislature, 1945, as amended, and which was valid on the effective date of this Act, shall hereafter be eligible for licensing to practice practical nursing as a licensed practical nurse under the provisions of this Act. It is further provided that licenses issued under the aforementioned Act No. 292 shall be valid for the term shown thereon.

Section 7. RENEWAL OF LICENSES. The license of every professional nurse licensed under the provisions of this Act shall be renewed annually and the license year shall be the calendar year. Applicants for renewal shall apply for and complete the renewal application and forward same to the Board, along with the renewal fee, between October

1st and December 31st of each year. The Board shall examine and verify the accuracy of the application and, if in order, shall issue a renewal receipt for a license year beginning on January 1st.

The license of every practical nurse licensed as a licensed practical nurse under the provisions of this Act, shall be renewed annually and the license year shall be from October 1st through September 30th of each year. Applicants for renewal shall apply for and complete the renewal application and forward same to the Board, along with the renewal fee, between July 1st and September 30th of each year. The Board shall examine and verify the accuracy of the application and, if in order, shall issue a renewal receipt for the license year beginning October 1st.

Any person practicing nursing, who allows his or her license to lapse, by failing to renew, as hereinafter provided, may be reinstated and licensed by the Board upon satisfactory explanation of such failure and upon payment of the required fees.

After January 1, 1968, it shall be unlawful for any person to practice professional nursing in this state during the time his or her license so to practice has lapsed, and such person shall be subject to the penalties of this Act. After January 1, 1971, it shall be unlawful for any person to practice practical nursing in this state during the time his or her license so to practice has lapsed, and such person shall be subject to the penalties of this Act.

A nurse not actively practicing professional nursing in Alabama, or not actively practicing practical nursing in Alabama, shall not be required to renew his or her license; but such person shall, prior to resuming the practice of professional nursing, or the practice of practical nursing, for compensation, submit evidence of inactive status in Alabama to the Board and secure a renewal license before re-engaging in the active practice of professional nursing or in the active practice of practical nursing, as the case may be.

Section 8. FEES AND CHARGES. The Board shall charge the following fees for its services under this Act, to wit:

Original examination for license to practice professional nursing	\$20.00
Re-examination for license to practice professional nursing	10.00
Licensing by endorsement to practice professional nursing	20.00
Licensing under waiver provision hereof to practice professional nursing	20.00
Renewal of license to practice professional nursing	4.00
Original examination for license to practice practical nursing	15.00
Re-examination for license to practice practical nursing	10.00
Licensing by endorsement to practice practical nursing	15.00
Licensing under waiver provision hereof to practice practical nursing	15.00

Renewal of license to practice practical nursing.....	4.00
Late renewal fee of all licenses.....	1.00
(This fee is in addition to annual renewal fee.)	
Issuance of temporary permits to practice professional or practical nursing (at the discretion of the Board)....	5.00
Certification of Alabama licensure.....	2.00
Evaluation of high school record.....	1.00
Transcript of nursing school record.....	1.00
Miscellaneous services involving issuance of documents.....	1.00

Section 9. FUNDS OF THE BOARD. All funds and revenues of whatever kind authorized or collected under the provisions of this Act or the regulations of the Board shall be collected by the Board and shall be handled in accordance with existing regulations and accounting procedures of State Departments and deposited in the Board's trust fund in the State Treasury. Disbursements and withdrawals of such funds by the Board shall be made in accordance with existing regulations and accounting procedures of State Departments. The Board shall pay all of its expenses from its own funds and no expenses shall be borne by the State of Alabama from general funds of the State.

All the rights, duties, powers and authority now or hereafter vested by law in the Board of Nurses' Examiners and Registration are hereby transferred to and vested in the Board of Nursing and all rights, powers, duties and authorities, whether clerical, executive, administrative, judicial or quasi-judicial, now vested by law in the Board of Nurses' Examiners and Registration, shall be vested in the Board of Nursing hereby created and shall be exercised by it, together with any additional rights, powers and authorities herein given or created by this Act. The jurisdiction, functions, funds, effects and personnel of the Board of Nurses' Examiners and Registration are hereby transferred to the Board of Nursing and covered with their current status. No unexpended funds of the Board of Nurses' Examiners and Registration or the Board of Nursing shall ever revert to the State of Alabama but shall remain the property of the Board of Nursing.

There is hereby appropriated from the funds of the Board of Nurses' Examiners and Registration to the Board of Nursing, created hereunder, the sum of Ten Thousand (\$10,000.00) Dollars for the fiscal year 1965-66, and the sum of Twenty Thousand (\$20,000.00) Dollars for the fiscal year 1966-67, and said funds may be expended in the discretion of the Board of Nursing for payment of salaries, fees for services, office supplies and expenses, travel expenses, rents, motor vehicle expenses, employee retirement and Social Security taxes, and miscellaneous expenses of the Board, and said appropriations for the said years are in addition to and are to be added to any appropriation now existing or hereafter made to the Board of Nurses' Examiners and Registration or the Board of Nursing, it being the purpose of this provision to supplement the appropriations made or hereafter to be made for the fiscal years 1965-66 and 1966-67.

Section 10. NURSING EDUCATIONAL PROGRAMS. An institution desiring to conduct a nursing educational program to prepare professional or practical nurses shall apply to the Board and submit evidence that: It is prepared to carry out the prescribed minimum standards to educate students in professional nursing or in practical nursing, and that it is prepared to meet such other standards as shall be established by this Act or by the Board.

The Board shall cause a survey to be made of the institution and its proposed educational program. If the survey reveals and the Board is of the opinion that all requirements for an approved nursing educational program are met, it shall approve the institution.

The Board, as often as deemed necessary, shall survey all nursing educational programs in the state. Should such survey reveal that the institution conducting such nursing educational program is not maintaining the standards required by the Board, notice shall be given to the institution in writing, specifying deficiencies. Should an institution fail to correct the deficiencies to the satisfaction of the Board within a reasonable length of time, the Board shall disapprove the nursing educational program of such institution; provided, however, the institution may again qualify for approval, if all requirements and standards are met.

Section 11. THE BOARD SHALL HAVE THE POWER TO DISCIPLINE LICENSEES. The Board shall have the power to deny, revoke or suspend any license issued by it upon proof that the licensee: Is guilty of fraud or deceit in procuring or attempting to procure a license; is guilty of a crime involving moral turpitude or of gross immorality that would tend to bring reproach upon the nursing profession; is unfit or incompetent due to personal habits; is habitually intemperate due to the use of alcohol, or is addicted to the use of habit forming drugs to such an extent as to render him or her unsafe or unreliable as a licensee; is mentally incompetent, is guilty of unprofessional conduct of a character likely to deceive, defraud or injure the public in matters pertaining to health, or has wilfully or repeatedly violated any of the provisions of this Act.

Whenever written complaint is made to the Board that a person has committed any of the acts or come within any of the disabilities enumerated in the preceding paragraph, the Board shall hear and determine said complaint; the hearing to be held in Montgomery, Alabama. The person whose qualification is under consideration shall have not less than twenty (20) days written notice of the time and place of the initial hearing, which notice shall be accompanied by a copy of the complaint; said notice may be served upon the accused by any Sheriff of the State of Alabama and, if said person is out of the state or evades service, or cannot be served in person, then service may be made by mailing, by registered mail, the notice and a copy of the complaint to said person at his last known post office address in this state, and the return shall show that service has been made in this manner.

At the hearing, the complainant and the person whose qualification is under consideration, and any other person who may be permitted so to do by the Board, shall have the right to introduce all such oral testimony, or written testimony, or both, as the Board may deem relevant to the issues involved, and the right to be heard in person or by counsel, or both. The Board may permit the complaint to be amended, but no amendment shall be permitted which is not germane to the charge or charges sought to be amended or which materially alters the nature of any offense charge. The Board shall have the right to determine all questions as to the sufficiency of the complaint, as to procedure and as to the admissibility and weight of evidence. If the person, whose qualification is under consideration, absents himself or herself, the hearing may proceed in his or her absence.

Any accused, complainant or other party and the Board may subpoena witnesses or pertinent records for the hearing and such subpoenas may be served by any Sheriff of the State of Alabama. Witnesses may be sworn by the President of the Board or by the person discharging the duties of the President. Witnesses testifying at such hearing shall, upon discharge as a witness, be paid by the Board the sum of Two (\$2.00)

Dollars per day for attendance and the actual cost of transportation to and from the place of hearing, but not exceeding the current rate of State Departments for each mile traveled.

Evidence may also be taken by deposition, the commission being issued by the President of the Board, and the law and practice as to depositions in Circuit Courts shall be followed in all reasonable respects.

If the accused is found guilty of the charges, the Board may refuse to issue a license or may revoke, suspend or otherwise discipline the licensee. A revoked or suspended licensee may be considered for re-statement after one year.

Any person who is denied a license or whose license is ordered suspended or revoked, may appeal to the Circuit Court or a Court of like jurisdiction of the county in which said person resides, from any order of the Board under this section, within thirty days from date of the decision of the Board. The trial of appeals hereunder shall be conducted in like manner, as nearly as may be, as provided for in Title 46, Sections 279-285, inclusive, Code of Alabama, 1940, as amended.

Section 12. This Act does not prohibit: The furnishing of nursing assistance in an emergency; the practice of any legally qualified nurse of another state, who is employed by the United States Government or any Bureau, Division or Agency thereof, while in the discharge of his or her official duties; the practice of nursing by students enrolled in approved schools of nursing, as may be incidental to their course of study, nor shall it prohibit such students working as nursing aides; persons, including nursing aides, orderlies and attendants, carrying out duties necessary for the support of nursing services, including those duties which involve supportive nursing services performed in hospitals and elsewhere under the direction of licensed physicians or dentists, or under the supervision of professional nurses licensed hereunder, nor gratuitous nursing of the sick by friends or members of the family, nor the care of the sick when done in accordance with the practice of religious principles or tenets of any well recognized church or denomination which relies upon prayer or spiritual means alone for healing.

Section 13. VIOLATION OF ACT; PENALTIES. Any person or persons, firms, partnerships, associations or corporations, who shall sell or fraudulently obtain or furnish any nursing diploma, license or license renewal or aid or abet therein; or practices nursing as defined in this Act under cover of any diploma, license or renewal license fraudulently obtained or issued under fraudulent misrepresentation, or after January 1, 1968, practices professional nursing as defined in this Act, or after January 1, 1971, practices practical nursing as defined in this Act, unless duly licensed to do so under the provisions hereof; or uses in connection with his or her name any designation implying or tending to imply that he or she is a licensed professional nurse and licensed to practice as a registered nurse, or a practical nurse licensed to practice practical nursing as a licensed practical nurse, unless duly licensed to practice under the provisions of this Act; and after January 1, 1968, practices professional nursing, or after January 1, 1971, practices practical nursing during the time his or her license issued under the provisions of this Act shall be suspended, revoked or has expired; or conducts a nursing education program for the preparation of professional or practical nurses, purporting eligibility of its graduates for license hereunder, unless the program has been approved by the Board; or otherwise violates any of the provisions of this Act, shall be guilty of a misdemeanor and must, upon conviction, be fined not more than \$100.00 for the first offense and for each subsequent offense, upon conviction, be fined not less than \$100.00 nor more than \$200.00, and may also be imprisoned in the County Jail or sentenced to hard labor for the county for not more than one year, at the discretion of the Court.

Section 14. INJUNCTIVE RELIEF. After January 1, 1968, the practice of professional nursing by any person who has not been issued a license under the provisions of this Act, or whose license has been suspended, revoked or has expired, is hereby declared to be inimical to the public welfare and to constitute a public nuisance. After January 1, 1971, the practice of practical nursing by any person who has not been issued a license under the provisions of this Act, or whose license has been suspended, revoked or has expired, is hereby declared to be inimical to the public welfare and declared to be a public nuisance. After January 1, 1968, the Board of Nursing or the State of Alabama may apply to any Court of competent jurisdiction for an injunction to enjoin any person from practicing professional nursing, who has not been issued a license to practice professional nursing or whose license therefor has been suspended or revoked or has expired, and after January 1, 1971, the Board of Nursing or the State of Alabama may apply to any Court of competent jurisdiction for an injunction to enjoin any person from practicing practical nursing who has not been issued a license to practice practical nursing or whose license therefor has been suspended or revoked or has expired.

Injunctions under this section shall be applied for in accordance with the civil remedies and procedures of the State of Alabama under Chapter 28, of Title 7, Code of Alabama, 1940, as amended.

Applications for injunctions hereunder shall be in addition to and not in lieu of all penalties and other remedies provided for in this Act.

Section 15. SEVERABILITY. If any provision, clause, sentence, paragraph, section, phrase or part of this Act, or the application thereof to any person or circumstance, is held invalid, the invalidity shall not affect any other provisions, clauses, sentences, paragraphs, sections, phrases, parts or applications of this Act which can be given effect without the invalid provision, clause, sentence, paragraph, section, phrase, part or application. To this end, the provisions, clauses, sentences, paragraphs, sections, phrases, or parts of this Act are declared to be severable.

Section 16. REPEALER. Those parts of Act No. 96, H. 102, approved June 15, 1945 (General Acts of Alabama, 1945, p. 92), and Act No. 292, S. 292, approved July 9, 1945 (General Acts of Alabama, 1945, p. 482), and any other laws or parts of laws in conflict herewith, are to the extent of such conflict repealed.

This section shall not be construed to affect any offense committed or done, or any penalty incurred, or any rights or contracts existing, or any action pending, or any liability or penalty incurred under the said Acts at the time this Act shall take effect and shall not affect those rights, duties, powers, acts and authority the Board of Nurses' Examiners and Registration specifically transferred to the Board of Nursing and set out in this Act.

Section 17. This Act shall become effective on January 1, 1966, upon its passage and approval by the Governor or upon its otherwise becoming a law.

On motion of Mr. Smith, said substitute was laid on the table.

Yeas 14; Nays 11.

Yeas:

Messrs.:
Eddins
Gilchrist
Givhan

Hawkins
Horton
Lowe
McCain

Montgomery
Nichols
Roberts
Robison (Montgomery)

Shelton
Smith
Taylor

Nays:

Messrs.:	Brannan	Cooper	Lolley
Allen	Carter	Hornsby	McDow
Bentley	Clark	James	Robison (<i>Pickens</i>)

—11

The question then recurred on the amendment offered by Mr. Smith, which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Eddins	James	Roberts
Adams	Gilchrist	Lolley	Robison (<i>Montgomery</i>)
Bentley	Givhan	McCain	Robison (<i>Pickens</i>)
Brannan	Hawkins	McDow	Smith
Carter	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	

—22

Nays: —0

And said Bill, S. B. 210, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nay 1.

Yeas:

Messrs.:	Dumas	James	Nichols
Adams	Eddins	Lolley	Reynolds
Bentley	Gilchrist	Lowe	Roberts
Brannan	Givhan	Mathews	Robison (<i>Montgomery</i>)
Carter	Hawkins	McCain	Shelton
Clark	Hornsby	McDow	Smith
Cooper	Horton	Montgomery	Taylor

—27

Nay: Mr. Robison (*Pickens*) —1

MOTION IN WRITING

Mr. Gilchrist offered the following Motion in Writing, to-wit:

“Motion in Writing

“Having voted with the prevailing side on the vote by which H. B. 310 was passed I hereby move to reconsider the vote by which H. B. 310 was passed.”

REPORTS OF COMMITTEES

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Jones (*Monroe*):

H. 1150. Relating to all counties having populations of not less than 22,350 nor more than 24,350 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

By Messrs. Brewer and Slate (with notice and proof):

H. 1151. To amend Section 2 of Act No. 437, H. 937, Regular Session 1951, an act fixing the compensation of the members and chairman of the board of revenue and control of Morgan County.

By Messrs. Brewer and Slate (with notice and proof):

H. 1152. To amend further Section 1 of Act No. 464, H. 879, Regular Session 1939, an act fixing the compensation of the tax collector of Morgan County (Local Acts 1939, p. 278).

By Messrs. Brewer and Slate (with notice and proof):

H. 1153. To amend further Section 1 of Act No. 361, H. 878, Regular Session 1939, an act fixing the compensation of the Tax Assessor of Morgan County (Local Acts 1939, p. 248).

By Messrs. Slate and Brewer (with notice and proof):

H. 1154. To abolish the jury commission of Morgan County as presently constituted and create in lieu thereof a commission composed of the circuit court judges of the eighth judicial circuit of Alabama or as many thereof as may be residents of Morgan County, the judge of the county court of Morgan County, and two additional members to be appointed by the governor.

By Mr. Rast et al:

H. 1179. To authorize and empower the Board of Revenue, County Commission or like governing body in all counties of this State having a population of 400,000 or more inhabitants according to the last or any subsequent federal census, to construct and improve lateral sewer lines in subdivisions located outside the limits of municipalities in such counties, such lateral sewer lines to be constructed or improved under the provisions of and subject to the terms and conditions of Act No. 519 of the 1947 Regular Session of the Legislature of Alabama, approved September 30, 1947 (1947 General Acts, p. 356).

By Mr. Morrow et al:

H. 1180. To provide that any city of the State having a population of more than 300,000 according to the last or any subsequent federal census shall have authority to provide for firemen and policemen of the city instruction and training in the disarming, neutralizing or rendering ineffective bombs or other explosives; to provide that any such city shall have the authority to enter into contracts with any person, firm or corporation, or the Federal Government or any State of the Union, or any agency or subdivision of the Federal Government or of any State providing for the city to pay a reasonable amount for instruction or training furnished to firemen and policemen of the city in the disarming, neutralizing or rendering ineffective bombs or other explosives; and to provide that any such city shall have authority to pay the expenses of firemen and policemen incurred in attending schools or courses providing for such instruction or training, and to carry firemen and policemen on a duty status, or pay status, while they are attending any such school or training course, or are en route to and from such school or course.

By Mr. Morrow et al:

H. 1181. To provide that when in any city of the State having a population of more than 300,000, according to the last or any subsequent Federal census, a fireman is assigned, or called upon, by one or more of his superior officers in the fire department to quell a riot, disorder

or disturbance or to otherwise preserve the peace, while engaged in such duty he shall have the authority to make arrests conferred upon policemen of the city by the laws of the State of Alabama or by the ordinances of the city, as such laws and ordinances may be amended.

By Mr. Morrow et al:

H. 1182. To provide that in any city of the State having a population of more than 300,000, according to the last or any subsequent Federal census, an injury sustained by any member of the fire department of the city when he is on duty in said fire department and is engaged in quelling a riot, disorder, or other disturbance, or in otherwise preserving the peace of the city, shall be deemed to be an injury in the line of his duty in the fire department; and to provide that any member of the fire department so injured shall be entitled to the benefits provided by law for a fireman of the city injured in line of duty, and that the widow or dependents of any fireman dying as the result of any such injury shall be entitled to the pension or benefit payable to the widow or dependents of a fireman of such city killed in the line of duty.

By Mr. Morrow et al:

H. 1183. To repeal Act No. 87 of the Second Special Session of the Legislature of Alabama of 1963 (Acts of Alabama, 1963, Page 252), providing that any recorder of a city having a population of 350,000 or more shall have the power and authority to require an appeal bond in any case appealed to the Circuit Court or court of like jurisdiction in any reasonable amount not exceeding \$2,500.

By Mr. Rast et al:

H. 1130. To regulate the handling, control, custody and disposition of all official or trust funds by clerks or deputy clerks of the circuit court in counties in this state having a population of 500,000 or more according to the last or any subsequent Federal census; to provide that the county commission or like governing body in such counties shall name the depositories to receive such funds, and may provide that any of such funds may be invested; to provide that such circuit clerks or deputy clerks shall be relieved from personal liability for any loss by reason of the failure of any depository designated by the aforesaid county commissions or like governing body; that such clerks or deputy clerks of the circuit court shall disburse such funds in accordance with the judgments, orders and decrees of any judge of the circuit court sitting in and for such counties; that any clerk or deputy clerk of the circuit court who fails to comply with the provisions of this Act shall be guilty of wilful neglect of duty; that all laws or parts of laws, local, special or general, in conflict with this Act are hereby repealed.

By Mr. Morrow et al:

H. 1175. To impose and levy in every county of the State having a population of 500,000 or more according to the last or any subsequent Federal Census a tax on every person who sells, stores or delivers cigarettes or smoking tobacco in the county, in the form of a license tax in the amount prescribed in the act, which tax shall be in addition to all other taxes now imposed by law; to provide for the amount, or rate, of the tax which shall be levied on the sale, storage or delivery of cigarettes and smoking tobacco; to provide that the taxes levied by this act shall be paid by the use of stamps, which shall be affixed to the tobacco products subject to said tax; to provide for certain exemptions from the taxes levied by this act; to provide for the method of collecting and enforcing the taxes levied by this act; to provide penalties for the violation of this

act; to provide that any person who sells or stores or receives for the purpose of sale or distribution any article containing tobacco enumerated in this act shall add the amount of the license or privilege tax levied and assessed by this act to the price of the article, and shall collect from the purchaser the amount of the tax due under this act; to provide that the officer or employee chargeable with the duty of collecting privilege or license taxes payable to the county shall collect the taxes levied by this act; to provide that the said officer or employee collecting the taxes levied by this act shall pay one per cent (1%) of the total amount of taxes collected by him to the treasury of the county, as compensation to the county for expenses incurred by the county in securing the stamps necessary for the administration of this act and for other expenses incurred by the county in the collection of the taxes and the enforcement of this act; to provide that the officer or employee collecting the taxes shall pay all of the proceeds of the taxes, except the one per cent (1%) deducted as aforesaid, to a public corporation heretofore or hereafter created by the Legislature of Alabama for the purpose of establishing, constructing, maintaining, and operating a civic center in that municipality wherein the county seat of the county is situated, to the end that the said taxes may be used by the said public corporation for the purposes for which it is created; to provide that the taxes levied by this act shall go into effect, or become effective, on the first day of the calendar month next following that calendar month in which there is adopted an act creating in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a public corporation for the purpose of establishing, maintaining and operating a civic center in the county seat of said county provided, however, that if the last mentioned act has been enacted prior to this act becoming a law, then the taxes levied by this act shall become effective, and go into effect, on the first day of that calendar month next following the calendar month in which this act becomes a law; and to provide for the repeal of all laws, whether general, special or local, in conflict with the provisions of this act.

By Mr. Morrow et al:

H. 1178. To propose an amendment to the Constitution of Alabama relating to any public corporation heretofore or hereafter created in any County in the State of Alabama having a population of more than 500,000, according to the last or any subsequent Federal census, for the purpose of establishing, maintaining and operating a civic center in the municipality in which the county seat of such County is situated; to provide that such corporation shall be authorized, without the necessity of any election, to issue bonds, warrants or other evidence of indebtedness and to pledge for the payment of the principal and interest due thereon the revenue received, or to be received by such public corporation and also to pledge for such payment the proceeds derived, or to be derived, from any taxes made payable by the act or acts levying such taxes to the said public corporation, any provision of the Constitution of Alabama to the contrary notwithstanding; to provide that securities issued by such corporation shall not be considered indebtedness of such County or any municipality therein within the meaning of Sections 224 and 225 of the Constitution of Alabama; and to provide that the rent or rentals that the said County or the said municipality may be obligated to pay under the terms of any lease between the said corporation and the County or the said municipality shall not be considered in determining whether the County or the municipality has exceeded the debt limitation prescribed for the County or municipality, as the case may be, by any provision of the Constitution of Alabama.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Meeks et al:

H. 1184. Relating to counties having populations of 600,000 or more, according to the most recent federal decennial census; authorizing the sale and distribution of draft beer within such counties.

By Mr. Morrow et al:

H. 1177. To impose and levy in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a privilege or license tax against or on every person engaged in the county in the business of renting or furnishing any room or rooms, lodging or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings, or accommodations are rented or furnished for a consideration, and also a privilege or license tax on every person engaged in such county in the business of renting or furnishing space for the accommodations of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the officer or employee chargeable with the duty of collecting privilege or license taxes payable to the county shall collect the taxes levied by this act; to provide that the said officer or employee collecting the taxes levied by this act shall pay one per cent (1%) of the total amount of taxes collected by him to the treasury of the county, as compensation to the county for expenses incurred by the county in the collection of said taxes and in the administration and enforcement of this act; to provide that the officer or employee collecting the taxes shall pay all of the proceeds of the taxes, except the one per cent (1%) deducted as aforesaid, to a public corporation heretofore or hereafter created by the Legislature of Alabama for the purpose of establishing, constructing, maintaining, and operating a civic center in that municipality wherein the county seat of the county is situated, to the end that the said taxes may be used by the said public corporation for the purposes for which it is created; to provide that the taxes levied by this act shall go into effect, or become effective, on the first day of the calendar month next following that calendar month in which there is adopted an act creating in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a public corporation for the purpose of establishing, maintaining and operating a civic center in the county seat of said county provided, however, that if the last mentioned act has been enacted prior to this act becoming a law, then the taxes levied by this act shall become effective, and go into effect, on the first day of that calendar month next following the calendar month in which this act becomes a law, and to provide for the repeal of all laws, whether general, special or local, in conflict with the provisions of this act.

By Mr. Rast et al:

H. 1131. Pertaining to Sheriffs fees in counties having population of 500,000 or over. To amend Section 34 of Title 11 of the 1940 Code of Alabama.

By Mr. Turner (Limestone) (with notice and proof):

H. 1133. To provide for payment of fees of state witnesses in criminal cases from the general funds of Limestone County.

By Mr. Cooper:

H. 1136. To apply only in counties having populations of not less than 26,000 nor more than 27,000; regulating the compensation and allowances of members of the county board of education.

By Mr. Hawkins:

S. 594. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having a population of not less than 96,000 nor more than 106,000.

By Mr. Turnham:

H. 1132. Proposing an amendment to the Constitution of Alabama relating to special property taxes in the City of Auburn.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Campbell (Jackson):

H. 1126. To authorize and provide for the establishment, maintenance, operation and financing of a public library in Alabama, in any County having a population of not less than 36,600 nor more than 37,600 according to the Federal census of 1960.

By Mr. Grouby (with notice and proof):

H. 1087. Relating to Autauga County; authorizing the county board of revenue to provide office space, and certain equipment and supplies for the board of registrars and other governmental agencies in the county.

By Mr. Grouby (with notice and proof):

H. 1088. Relating to Autauga County; requiring the county to pay the premiums on the official bonds of all county officers who hold office by election.

By Mr. Gilchrist:

S. 584. To apply in counties having populations of not less than 57,000 nor more than 61,000; providing for payment of expense allowances for the solicitors of the county courts of such counties.

By Messrs. Burns and Nabors:

H. 1117. Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; providing expense allowances for the president or chairman and members of the court of county commissioners, board of revenue, or other like governing body of the county.

By Mr. Young (with notice and proof):

H. 1156. To permit, and to provide for, the establishment of branch banks in Randolph County.

By Mr. Grouby (with notice and proof):

H. 1086. Relating to Autauga County; authorizing additional days of meeting of the county board of education.

By Mr. Campbell (Jackson):

H. 1125. To authorize the establishment of branch banks in counties having a population of not less than 36,600 nor more than 37,600.

By Mr. Salter:

H. 1211. Relating to all counties having populations of not less than 17,400 nor more than 17,800 according to the most recent federal

decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

By Mr. Campbell (Jackson) (with notice and proof):

H. 1124. To alter, rearrange and extend the boundary lines and corporate limits of the City of Scottsboro, in Jackson County, Alabama; and to prescribe the time when this Act shall become effective.

By Mr. Metcalf:

S. 599. Relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

By Mr. Cates:

H. 1210. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; providing for the payment from county funds of travel allowances for members of the county board of equalization; repealing Act No. 215, H. 229, First Special Session 1964 (Acts 1964, p. 297); giving the Act retroactive effect.

By Mr. Edwards (Lowndes):

H. 1135. Relating to counties having populations of not less than 15,400 nor more than 16,000 inhabitants, according to the most recent federal decennial census; providing further for the payment of an expense allowance to coroners of such counties.

By Mr. Stembridge (with notice and proof):

H. 1122. To amend further Section 4 of Act No. 103, H. 363 of the Regular Session of 1953 (Acts of 1953, Vol. I, p. 145) entitled "An Act to establish a City of Dothan Pension and Retirement System," in relation to the handling of the retirement fund.

By Messrs. Hain and Blanton (with notice and proof):

H. 1115. To extend the boundaries of the City of Selma in Dallas County.

By Mr. Doggett (with notice and proof):

H. 1104. To amend Act No. 98, H. 362, approved June 16, 1945, an act relating to the fine and forfeiture fund of Choctaw County (Local Acts 1945, p. 65).

By Mr. Metcalf (with notice and proof):

S. 590. Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

By Mr. Metcalf (with notice and proof):

S. 588. To authorize the court of county commissioners, board of revenue, or other like governing body of Geneva County to reimburse county-resident members of the legislature for certain expenses incurred on official business.

By Mr. Gilchrist (with notice and proof):

S. 585. To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

By Mr. Wilson (with notice and proof):

S. 598. To provide for an action of ejectment to recover possession of real property in Walker County by a purchaser of such real property at a mortgage foreclosure sale or by one claiming under such purchaser, and to regulate the proceedings in such action.

By Mr. Paulk (with notice and proof):

H. 1174. Relating to Bullock County; providing further for the administration and collection of special privilege licenses or excise taxes levied pursuant to Act No. 176, H. 667, Regular Session 1957, imposing certain duties upon the Court of County Commissioners of said county in reference to the enforcement of such taxes and the collection thereof.

By Mr. Paulk (with notice and proof):

H. 1102. To amend further Section 2 of Act No. 155, H. 296, Regular Session 1953 (Acts 1953, v. I, p. 197), an Act relating to the duties and compensation of county commissioners of Bullock County, so as to provide a mileage allowance for such commissioners.

By Mr. Paulk (with notice and proof):

H. 1103. Relating to Bullock County; fixing the terms of office of the members of the court of county commissioners.

By Mr. Powell (with notice and proof):

H. 1171. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulates their compensation and allowances.

By Messrs. Callahan, Campbell (Tuscaloosa) and Brown (Tuscaloosa):

H. 1024. For the relief of Stancil L. Beams and to appropriate the sum of Two Thousand Five Hundred and No/100 (\$2,500.00) Dollars from any funds of Tuscaloosa County, not otherwise appropriated, for the use and benefit of Stancil L. Beams, to compensate him for injuries received while doing work in the Commodity Warehouse in Tuscaloosa, Alabama, on July 17, 1964, and to authorize and require the Board of Revenue or Treasurer of Tuscaloosa County, Alabama, to pay said sum to the said Stancil L. Beams.

By Mr. Drake (with notice and proof):

H. 1114. To amend Section 2 of Act No. 18, H. 6, First Special Session 1955, an act creating the Cullman County Commission on Education.

By Mr. Moore (with notice and proof):

H. 1187. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Moulton, Lawrence County, so as to annex certain territory to the town.

By Mr. Pruitt (with notice and proof):

H. 1192. To alter, extend, and rearrange the boundaries of the municipality of Livingston in Sumter County.

By Mr. Davis:

H. 1101. To apply only in counties of the state having populations of not less than 14,300 nor more than 14,800 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

By Mr. Robison (Pickens) (with notice and proof):

S. 592. To alter, rearrange and extend the boundaries and corporate limits of the town of Ethelsville in Pickens County.

By Mr. Daniel:

H. 1162. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

By Mr. Teel:

H. 750. To apply only in counties of the State having populations of not less than 10,000 nor more than 10,900 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

By Mr. Turner (Crenshaw):

H. 1105. Relating to counties having populations of not less than 14,000 nor more than 15,000; providing an expense allowance for the superintendent of education of any such county.

By Mr. Turner (Crenshaw):

H. 1106. Relating to counties having populations of not less than 14,000 nor more than 15,000; providing expense allowances for certain deputy sheriffs of such counties.

By Mr. Wilson (with notice and proof):

S. 595. To apply only in Walker County: To authorize, provide for, and regulate the introduction in evidence in any court in such county, when the original thereof would be relevant and material, of certified copies of certain hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probative value of such records.

By Mr. Wilson (with notice and proof):

S. 597. Relating to Walker County; to authorize the judge of probate of such county to try inquisitions of lunacy with or without a jury; and to provide that when a jury is demanded in such proceeding said jury shall be impeaneled as is now provided for the trial of a will contest in the probate courts of this State.

By Mr. Wilson (with notice and proof):

S. 596. Relating to Walker County; to provide further for probating uncontested wills in such county.

By Mr. Drake (with notice and proof):

H. 1109. To increase the compensation of the Clerk of the Circuit Court of Cullman County.

By Mr. Drake (with notice and proof):

H. 1113. Providing expense allowances for the Chairman and Members of the Board of Equalization of Cullman County payable from the county treasury.

By Mr. Drake (with notice and proof):

H. 1110. To amend Section 4 of Act No. 167, H. 422, approved September 23, 1959 (Acts 1956, v. 1, p. 690), an act creating a Board of Revenue for Cullman County, so as to provide an expense allowance for the associate members of such board.

By Mr. Drake (with notice and proof):

H. 1112. To provide for the payment of expense allowances to members of the Board of Registrars of Cullman County from county funds.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hester (with notice and proof) (with substitute):

H. 1120. To amend and extend the corporation limits of the City of Russellville, Alabama.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. NeSmith:

H. 1158. To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof.

By Mr. Pruitt (with notice and proof):

H. 1193. Proposing an amendment to the Constitution of Alabama relating to Livingston in Sumter County, and ordering an election thereon.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Pruitt:

H. 1194. Proposing an amendment to the Constitution of Alabama relating to Sumter County, and ordering an election thereon.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Holladay:

H. 1201. To apply only in counties having populations of not less than 24,800 nor more than 25,400, according to the most recent federal

decennial census; regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of such counties.

By Mr. Avery:

H. 1208. To amend Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 1139. To amend Act No. 207, S. 25 (Special Session, 1961, p. 2185) providing for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 110,000 nor more than 160,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

By Mr. Oden (with notice and proof):

S. 593. Relating to the construction, maintenance and repair of the county roads and bridges of Colbert County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county, and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of all funds, including Colbert County's proportionate share of the state gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; repealing conflicting laws.

By Mr. Owen (with notice and proof):

H. 1092. Relating to Baldwin County: To regulate further the salaries of the deputies of the sheriff of such county.

By Mr. Owen:

H. 1093. To authorize the judge of the Twenty-eighth Judicial Circuit to appoint an assistant to be designated librarian-secretary, and to prescribe the duties and fix the compensation of such assistant, and to provide for the payment of the compensation of such librarian-secretary out of the county treasury of the county composing the circuit.

By Mr. Owen:

H. 1094. Relating to counties having populations of not less than 48,500 nor more than 49,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

By Mr. Owen (with notice and proof):

H. 1095. To provide for compensation of jurors in Baldwin County.

By Mr. Owen (with notice and proof):

H. 1096. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex territory to the said City.

By Mr. Owen:

H. 1159. Proposing an Amendment to the Constitution of Alabama to authorize a district hospital tax in Baldwin County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Pennington, Baker (Madison) and Reynolds (with notice and proof):

H. 1138. To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

By Messrs. Pennington, Baker (Madison) and Reynolds:

H. 1205. To amend Section 1 of Act No. 173, H. 152, Regular Session 1961 (Acts 1961, p. 217), an act entitled "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000", so as to regulate further the per diem and the maximum amount of compensation payable to members of such jury commissions.

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 1206. To provide an expense allowance for the judges of probate in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

By Messrs. Reynolds, Pennington and Baker (Madison):

H. 1207. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

By Messrs. Reynolds and Pennington:

H. 1213. To repeal as to all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, Act No. 344, S. 10, Regular Session 1951, entitled "An Act To provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not more than 400,000 inhabitants according to the last or any succeeding Federal Census; to provide for the claiming of satutory exemptions on such property; and to provide penalties for failure to comply with the provision of this Act."

By Messrs. Pennington, Baker (Madison) and Reynolds (with notice and proof):

H. 1137. To confer discretionary authority upon the Board of Commissioners of Madison County to appropriate from the general funds of the county sums of money, not to exceed five hundred dollars, for the payment of certain equitable and moral claims against the county, as the board may from time to time determine.

By Mr. Engel:

H. 1189. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama 1955, (Vol. 1, p. 515), approved August 3, 1955, entitled "an Act to provide further for the compensation of the Circuit Solicitor in Circuits composed of one County and having not less than four nor more than nine Circuit Judges", as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. 1, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940, and as further amended by Act 117, H. 130, Acts of Alabama, 1964, approved August 24, 1964, page 177.

By Mr. Engel:

H. 1145. Relating to the powers of cities having populations of not less than 200,000 and not more than 300,000 according to the most recent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances to permit certain commissions for the preservation and protection of the historic architectural character of the city and the promotion of historic districts as tourist attractions, to provide certain outdoor dining facilities in connection with such promotion; amending Section 3 of Act No. 356, H. 627, Regular Session 1963 (Acts 1963, p. 855).

By Mr. Stembridge (with notice and proof):

H. 1121. To provide for the assessment, collection, amount and use of additional taxes or fees as items of court costs in cases docketed in certain courts in Houston County.

By Messrs. Engel, McDermott and Downing (with notice and proof):

H. 145. To amend further Section 14 of Act No. 40, S. 4, Special Session 1956, an act which created and established the Court of General Sessions of Mobile County (Acts 1956, p. 328).

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tyson (with amendment):

S. 602. Relating to the recorders courts of cities having populations of not less than 200,000 nor more than 300,000; to provide for the qualifications, election, term, compensation, powers and duties of the judge of such court; to authorize and provide for officers for said court, and provide for their selection, tenure and compensation.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Adams:

S. 600. To amend Act No. 379, H. 866, of the Regular Session of 1963, which relates to counties having populations of not less than 50,000 nor more than 54,000 and provides further for designation and alteration of election precincts and districts, voting places and voting centers therein and the conduct of elections: amending the Title and Sections 1, 2, 3, 4, and 9 of such act.

By Mr. Owen:

H. 1163. To regulate further the meeting days and compensation of the county boards of registrars in all counties having populations of not less than 48,200 nor more than 49,200 according to the most recent federal decennial census.

By Mr. Engel:

H. 1015. To amend Section 10, of Act No. 934 approved September 9, 1961, General Acts of Alabama, 1961, Vol. II, page 1506, entitled:

"To provide for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census; to more fully define the duty, authority and responsibility of the Tax Assessor of such counties in the matter of equalizing assessments of real property within such counties; to provide for the division of such counties into districts for the purpose of tax assessment records; to require that certain records be kept and maintained on a current basis by the Tax Assessor of such counties; to describe the manner in which such records are to be kept; to provide a time within which the equalization program required herein is to be initially completed; to provide for a continuous program of appraisal of real property within such counties; to provide for the assessments of improvements to real property within such counties; to prescribe penalties for failure to assess, or properly assess, improvements to real property within such counties; to prohibit the remittance of any such penalties except as provided for by this Act; to provide for the publishing of reports of the progress of the carrying out of the provisions of the Act; to provide for a portable set of assessment records for use by appraiser appointed by the Tax Assessor; to define the duties of the Board of Equalization in such counties in the matter of the equalization of assessments of real property; to provide that no outstanding obligations against the proceeds of any tax derived from assessments of real properties in such counties shall be impaired by the provisions of this Act; to provide for appeals of any assessment made by the Tax Assessor or ruling of the Board of Equalization of such counties; to provide for the necessary personnel, supplies, materials, and equipment to carry out the provisions of this Act and to provide the manner in which personnel are to be appointed in such counties; to provide for the severability of the provisions of the Act; to repeal all laws or parts of laws in conflict with the provisions of this Act."

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tyson (with amendment):

S. 587. Relating to counties having populations of not less than 300,000 nor more than 600,000 and to counties contiguous to any county having such population; providing for the control and abatement of arthropods in such counties; creating and establishing an Arthropod Control Board for each such county, and prescribing its powers and duties; providing for the qualifications, appointment, terms, and compensation of the members of such Boards and a director thereof.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gilchrist:

S. 583. Relating to counties having a population of not less than 57,000 nor more than 61,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

By Mr. Moore (with notice and proof):

H. 1058. To authorize and provide for the establishment of the Lawrence County Junior College; to provide for the use of the Lawrence County High School building for such college; to fix the qualifications of the president and teachers of such junior college and to provide for their compensation; and to prescribe the authority and the responsibility of the State Board of Education and the Lawrence County Board of Education under this Act.

By Mr. Branyon (with notice and proof):

H. 1118. Relating to Fayette County; further regulating the compensation of the county superintendent of education.

By Mr. Branyon (with notice and proof):

H. 1119. Relating to Fayette County; further regulating the compensation of members of the county board of education.

By Messrs. Campbell (Tuscaloosa), Callahan and Brown (Tuscaloosa) (with notice and proof):

H. 1078. To amend Section 5 of Act No. 56 of the regular session of the Legislature of Alabama of 1953, as amended by Act No. 290 of the regular session of the Legislature of Alabama of 1959, approved October 30, 1959, being an Act levying additional privilege or license taxes in Tuscaloosa County, by adding an additional penalty for failure to make reports as required therein.

By Messrs. Campbell (Tuscaloosa), Callahan and Brown (Tuscaloosa):

H. 1025. Relating to the office of commissioner of licenses in counties having populations of not less than 100,000, nor more than 115,000; amending Act No. 930, S. 1380, Regular Session 1961, so as to require the filing of transfer of ownership of motor vehicles; prescribing penalties for violations.

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate then proceeded to further consideration of the Motion in Writing by Mr. Gilchrist that the Senate reconsider the vote by which it passed the Bill, H. B. 310.

On motion of Mr. Gilchrist, the motion to reconsider was postponed until the next Legislative Day.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Lowe, further consideration of the Bill, S. B. 354, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 823. To provide for a program for education in the field of library science; authorizing the use of funds available to the Alabama

Public Library Service under the State Plan pursuant to the federal "Library Services and Construction Act," as amended, for awarding such grants.

Was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Nichols
Brannan	Eddins	Lowe	Reynolds
Carter	Gilchrist	Mathews	Roberts
Clark	Givhan	McCain	Robison (Montgomery)
Cooper	Hammond	McDow	Shelton

—19

Nays:

—0

The Bill:

H. 716. To amend Section 2 of Act No. 793, S. 117, Regular Session 1953, an act establishing the maximum rate which newspapers may charge for the publication of legal notices.

Was read a third time at length and passed.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Brannan	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Robison (Montgomery)
Cooper	Hammond	McDow	Robison (Pickens)
Dumas	Lolley	Oden	Shelton

—19

Nays:

—0

The Bill:

S. 98. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars, and validating and confirming like expenditures heretofore made.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 19; Nays 0.

Yeas:

Messrs.:	Dumas	Hawkins	McDow
Brannan	Eddins	Lolley	Nichols
Carter	Gilchrist	Lowe	Oden
Clark	Givhan	Mathews	Roberts
Cooper	Hammond	McCain	Shelton

—19

Nays:

—0

The Bill:

H. 715. To amend further Code of Alabama 1940, Title 7, Section 718, which relates to the rates to be charged for publication of legal notices.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Brannan	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Robison (Montgomery)
Clark	Hammond	McDow	Robison (Pickens)
Cooper	Lolley	Oden	Shelton
Dumas			—20

Nays:

—0

The Bill:

H. 8. Defining and regulating the practice of physical therapy; providing for examination and licensing of physical therapists; providing for the appointment of a Board of Physical Therapy; providing for the enforcement of the provisions of this Act; and prescribing penalties and fees.

was taken up.

Mr. Givhan offered the following amendment to the Bill, to-wit:

AMENDMENTS TO H. B. 8.

Amend section 13 of H. B. 8 as follows:

"Amend Section 13. Complaint—Hearing—Appeal. Any person may file a complaint with the Board against any person having a license to practice physical therapy in the State charging said person with having violated the provisions of this Act. The complaint shall set forth specifications of charges in sufficient detail so as to disclose to the accused fully and completely the alleged acts of misconduct for which he is charged. When such complaint is filed the secretary of the Board shall mail a copy thereof to the accused by registered mail at his last address of record, with a written notice of the time and place of hearing thereof, advising him that he may be present in person and by counsel if he so desires, to offer evidence and be heard in his defense.

At the time and place fixed for the hearing the Board shall receive evidence upon the subject matter under consideration and shall accord the person against whom charges are preferred a full and fair opportunity to be heard in his defense. The Board shall not be bound by strict or technical rules of evidence but shall consider all evidence fully and fairly; provided, however, that all oral testimony considered by the Board must be under oath. If the Board is convinced that the licensee has violated the provisions of this Act, it shall immediately revoke his license.

The action of the Board in revoking or refusing to issue a license may be reviewed by the Circuit Court of Montgomery County by a writ of mandamus, accompanied by a bond to be approved by the court, to determine whether the Board acted arbitrarily, capriciously, or illegally. The review procedure provided herein shall not suspend the action of the Board in the revocation or refusal of a license."

Amend Section 14 of H. B. 8 as follows:

"Section 14. Fees and Expenses. All fees collected by the Board shall be paid into the State Treasury and credited to a special fund designated as the "Physical Therapist Fund." There is hereby appropriated to the Board all funds appropriated, or otherwise made available, to said Board by the legislature of Alabama, the Congress of the United States, or by any other source for the purpose of carrying out this Act

and the Board shall have power to direct the dispersement of all monies collected hereunder. All expenditures authorized shall be paid for out of said fund, on vouchers certified by the Chairman of the Board."

Which was adopted.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Brannan	Eddins	Mathews	Roberts
Carter	Gilchrist	McCain	Robison (Montgomery)
Clark	Givhan	McDow	Robison (Pickens)
Cooper	Hammond	Oden	—18

Nays: —0

And said Bill, H. B. 8, as thus amended, was then read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Brannan	Eddins	Mathews	Roberts
Carter	Gilchrist	McCain	Robison (Montgomery)
Clark	Givhan	McDow	Robison (Pickens)
Cooper	Hammond	Oden	—18

Nays: —0

The Bill:

S. 10. Relating to required coverage in motor vehicle bodily injury liability insurance policies or contracts issued or delivered in this State requiring all such policies or contracts of insurance to include a provision insuring the insured and providing to pay the insured such sum as he may be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle and providing for the insured to have the right to reject such coverage.

was taken up.

The Standing Committee on Insurance reported the following amendment to the Bill, S. B. 10, to-wit:

COMMITTEE AMENDMENT TO S. B. 10

Amend S. B. 10 by deleting Section 2 in its entirety and substituting in lieu therefor the following:

"Section 2. This act shall become effective January 1, 1966."

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Brannan	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Robison (Montgomery)
Clark	Hammond	McDow	Robison (Pickens)
Cooper	Lolley	Oden	Shelton
Dumas			—20

Nays: —0

Mr. Carter then offered the following amendment to the Bill, S. B. 10, as amended, to-wit:

Amendment to S. B. 10

Amend S. B. 10 by inserting after the word "no" and before the word "policy" at the beginning of Section 1, the following words:

"automobile liability or motor vehicle liability"

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Brannan	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Robison (Montgomery)
Clark	Hammond	McDow	Robison (Pickens)
Cooper	Lolley	Oden	Shelton
Dumas			—20

Nays:

—0

And said Bill, S. B. 10, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 19; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Brannan	Eddins	Lowe	Roberts
Carter	Gilchrist	Mathews	Robison (Montgomery)
Clark	Givhan	McDow	Robison (Pickens)
Cooper	Hammond	Oden	Shelton
			—19

Nays:

—0

The Bill:

H. 22. To clarify and codify the common law with respect to the duty of care owed by landowners towards persons who may be upon their premises for hunting, fishing, sporting or recreational purposes and not for purposes connected with the landowner's business.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Brannan	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Robison (Montgomery)
Clark	Hammond	McDow	Robison (Pickens)
Cooper	Lolley	Oden	Shelton
Dumas			—20

Nays:

—0

The Bill:

H. 772. Relating to the tenth judicial circuit; providing for the appointment, duties, and compensation of two additional deputy circuit solicitors in such circuit.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds	
Brannan	Gilchrist	Mathews	Roberts	
Carter	Givhan	McCain	Robison (Montgomery)	
Clark	Hammond	McDow	Robison (Pickens)	
Cooper	Lolley	Oden	Shelton	
Dumas				—20

Nays:

—0

MOTION TO ADJOURN LOST

At 10:58 P. M., Mr. Robison (Montgomery) moved that the Senate adjourn until Friday, August 13, 1965, at 10 o'clock A. M., which motion was lost.

Yeas 6; Nays 12.

Yeas:

Messrs.:	Eddins	McCain	Shelton	
Carter	Gilchrist	Robison (Montgomery)		—6

Nays:

Messrs.:	Dumas	Lolley	Reynolds	
Brannan	Givhan	Lowe	Roberts	
Clark	Hammond	Oden	Robison (Pickens)	
Cooper				—12

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Eddins, further consideration of the Bill, S. B. 34, was indefinitely postponed by the Senate.

On motion of Mr. Carter, further consideration of the Bill, S. B. 7, was indefinitely postponed by the Senate.

On motion of Mr. Givhan, further consideration of the Bill, S. B. 87, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 46. To amend Section 21 of Title 17, Code of Alabama 1940, so as to substitute the lieutenant governor for the state auditor as a member of the board of appointment of registrars.

was taken up.

ADJOURNMENT

At 11:05 P. M., on motion of Mr. Robison (Montgomery), in accordance with motion heretofore adopted by the Senate, and pending further consideration of H. B. 144 and S. B. 46, the Senate adjourned until Friday, August 13, 1965, at 10 o'clock A. M.

THIRTY-THIRD LEGISLATIVE DAY

FRIDAY, AUGUST 13, 1965

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by the Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Oden	Tyson
Cooper	Horton	Reynolds	Wilson
Dumas	James		

—33

JOURNAL

On motion of Mr. Clark, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Thirty-Second Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Smith, leaves of absence were granted Messrs. Metcalf and Nichols for today.

FURTHER CONSIDERATION OF
MOTION RELATIVE TO S. B. 208

The Senate proceeded to consideration of the motion by Mr. Dumas that the reading at length of the Bill, S. B. 208, contained in the report from the Committee on Enrolled Bills, be dispensed with, said report from the Committee on Enrolled Bills being set out at length in the Journal of the Senate for the Thirty-Second Legislative Day.

On motion of Mr. Cooper, further consideration of the motion of Mr. Dumas was postponed until the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 27. To require railroads to install and maintain flashing electric signals, bells, or other similar warning devices at every intersection of their tracks with a federal or state highway or with a county road where there is a grade crossing in Butler County, which in the opinion of the board of revenue or other county governing body is dangerous, when directed to do so by the county governing body; and to prescribe penalties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Taylor, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 27, the title of which is set out in the foregoing Message from the House, to-wit:

Substitute for S. 27:

A BILL TO BE ENTITLED AN ACT

To require railroads to install and maintain flashing electric signals, bells, or other similar warning devices at intersections of their tracks with certain county roads in Butler County, and to prescribe penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person, firm, or corporation engaged in operating a railroad in Butler County whose tracks are crossed on a grade crossing by Butler County Roads Numbers 8, 28, or 30, within ninety days after this Act becomes law, shall install and thereafter maintain flashing electric signals, bells or similar devices warning of the immediate approach of trains at such grade crossings.

Section 2. Any person, firm, or corporation operating a railroad in Butler County who is required by Section 1 of this Act to install and maintain flashing electric signals, bells or other warning devices at a grade crossing in such county who fails to install or to maintain any such warning device is guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars, and each day of such failure shall constitute a separate offense.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	James	Montgomery	
Adams	Eddins	Lolley	Oden	
Allen	Evans	Lowe	Roberts	
Bentley	Gilchrist	Mathews	Shelton	
Carter	Hawkins	McCain	Taylor	
Clark	Hornsby	McDow	Wilson	
Cooper	Horton			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 26. To require railroads to install and maintain flashing electric signals, bells, or other similar warning devices at every intersection of their tracks with a federal or state highway or with a county road where there is a grade crossing in Conecuh County, which in the opinion of the board of revenue or other county governing body is dangerous, when directed to do so by the county governing body; and to prescribe penalties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Taylor, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 26, the title of which is set out in the foregoing Message from the House, to-wit:

Substitute for S. 26:

A BILL TO BE ENTITLED AN ACT

To require railroads to install and maintain flashing electric signals, bells, or other similar warning devices at intersections of their tracks with certain county roads in Conecuh County, and to prescribe penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person, firm, or corporation engaged in operating a railroad in Conecuh County whose tracks are crossed on a grade crossing by the Brownsville Road at Owassa or whose tracks are crossed on a grade crossing known as "the town crossing" in the town of Castleberry, within ninety days after this Act becomes law, shall install and thereafter maintain flashing electric signals, bells or similar devices warning of the immediate approach of trains at such grade crossings.

Section 2. Any person, firm, or corporation operating a railroad in Conecuh County who is required by Section 1 of this Act to install and maintain flashing electric signals, bells or other warning devices at a grade crossing in such county who fails to install or to maintain any such warning device is guilty of a misdemeanor and shall upon conviction be fined not more than one hundred dollars, and each day of such failure shall constitute a separate offense.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	McDow	Robison (Pickens)
Bentley	Givhan	Montgomery	Smith
Brannan	Hammond	Oden	Taylor
Cooper	Horton	Reynolds	Wilson
Dumas	James		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 33. To amend Section 3 of Act No. 122, H. 201, approved June 27, 1927 (Local Acts 1927, p. 41), an act establishing a Board of Commissioners of Choctaw County, so as to provide for the election of the members of such board by the county at large.

Also:

S. 449. To amend Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide for an expense allowance for the resident engineer in charge of county roads.

Also:

S. 477. To amend Sections 2 and 4 of Act No. 228, S266, Regular Session 1963, an act establishing the court of county commissioners of Blount County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Heflin:

H. 1214. To apply only in counties having populations of not less than 25,500 nor more than 25,700; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 187, Acts of Alabama 1964, page 253.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1214. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent to the Senate without engrossment:

By Messrs. Hogan and Engel:

H. 1232. To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the City of Prichard.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Mobile.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the city of Prichard.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary line between the city of Mobile and the City of Prichard in Mobile County shall be altered and rearranged so as to incorporate within the city of Prichard the following described territory which now lies within the corporate limits of the city of Mobile, to-wit:

"Begin at a point on the centerline of Alley No. 7 in the Owens Division of the St. Louis Tract, as shown by map of the survey of said division of the St. Louis Tract, as recorded in Deed Book 220 N. S., page 291-3 of the records in the probate office of Mobile County, Alabama, said point being where the centerline of said Alley No. 7 is intersected by the City Limit line between the city of Prichard and the city of Mobile, said point being located 166.15 feet Southwestwardly from the intersection of the centerline of Canal Street with the centerline of Alley No. 7; thence run N 32° 16' W and parallel with Canal Street 844.10 feet to a point which is 400 feet North of the South line of Lot 22, Range 2 West, of the Owens Division of the St. Louis Tract; thence run West 1100 feet; thence run South 1320 feet; thence run West 301.36 feet to a point on the centerline of a 30 foot lane, thence along the centerline of said lane run S 32° 11' E a distance of 698.92 feet to its intersection with the centerline of Alley No. 7; thence along the centerline of Alley No. 7 run N 51° 00' E, 1888.26 feet to the point of beginning."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 9, 16, 23, 30, 1965.

W. F. EGAN.

Sworn to and subscribed before me This 2 day of August 1965.

ROSALIE PERGANTIS,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1232. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Campbell (Tuscaloosa), Brown (Tuscaloosa), Sullivan, Boston, Hannah, Moore, Davis, Daniel, Downing, Cantrell, Owens, Meeks, Dominick, Turner (Crenshaw), Casey, Heflin, Cook, Smith, Drake and Brewer:

H. 703. To provide a personnel merit system for the administration, control, and regulation of employment in the service of the Alabama State Hospitals and the Partlow State School and Hospital.

Also:

By Messrs. Nabors, Nettles, Burns, Cantrell, Callahan, Brown (Tuscaloosa), ~~Campbell (Tuscaloosa)~~, ~~Davis~~, Sullivan, Campbell (Jackson), Merrill, Casey, Camp, Drake, Bolton, Ingram, ~~Brewer~~, ~~Slata~~, ~~Albca~~, Jones (Covington), Tuck, Owen, Cook, Glass, Bassett, Goodwyn, Meade, Downing, Avery, Hain, Grouby, Salter, Young, Jones (Monroe), Daniel, Boston, Branyon, Turner (Crenshaw), Powell, Owens, Holladay, Teel, Reynolds, Burnham, Bevil, Scurlock, Engel, Smith, Snell, Carr, Moore, NeSmith, Hankins and Posey:

H. 97. To amend further Code of Alabama 1940, Title 26, Section 293 which relates to medical, surgical and hospital service under the Workmen's Compensation Law.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 703. To the Committee on Public Health.

H. B. 97. To the Committee on Banking.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent to the Senate without engrossment:

By Mr. Posey:

H. 1224. To levy in Winston County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in such county of cigarettes and cigars; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes and cigars, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes and cigars; to provide that the tax shall be in addition to all other taxes now levied by law; to require the affixing of stamps to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To levy in Winston County a county privilege, license, or excise tax on the sale, distribution, storage, use of other consumption in such county of cigarettes and cigars; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes and cigars, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or

advertising of such cigarettes and cigars; to provide that the tax shall be in addition to all other taxes now levied by law; to require the affixing of stamps to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other taxes imposed by law, every person, firm, or corporation who sells, stores, delivers, uses or otherwise consumes cigarettes or cigars in Winston County shall pay a privilege, license or excise tax in the following amounts:

(a) One cent (\$0.01) for each package of cigarettes, made of tobacco or any substitute therefor.

(b) One cent (\$0.01) for each cigar of any description made of tobacco or any substitute therefor.

Provided, however, when the license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes and cigars such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on each package of cigarettes and on each cigar.

Section 2. Every person, firm, corporation, club or association that sells or stores or receives for the purpose of distribution in Winston County any cigarettes or cigars shall add the amount of the license or privilege tax levied and assessed herein to the price of the cigarettes and cigars, it being the purpose and intent of this provision that the tax levied is, in fact, a levy on the consumer with the person, firm, corporation, club or association, who sells or stores or receives for the purpose of distributing the cigarettes or cigars, acting merely as agent for the collection of the tax. The dealer, storer, or distributor shall state the amount of the tax separately from the price of the cigarettes and cigars on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the cigarettes and cigars. It shall be unlawful for any dealer, storer or distributor engaged in or continuing in the county in the business for which the tax is hereby levied to fail or refuse to add to the sales price and collect from the purchaser the amount due on account of the tax herein provided or to refund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof. Any person, firm, corporation, club or association violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail for not more than sixty days, or by both such fine and imprisonment. Each act in violation of this section shall constitute a separate offense.

Section 3. The tax hereby levied shall be paid by affixing stamps as is required for the payment of the tax imposed by Title 51, Chapter

20, Article 9, Code of Alabama, 1940, as amended. The state department of revenue shall have the same duties relative to the preparation and sale of stamps to evidence the payment of such tax that it has relative to the preparation and sale of stamps under that article; and may exercise the same powers and perform the same duties in the same manner relative to the collection of the tax hereby levied that it does relative to the collection of that tax.

Section 4. The state department of revenue is hereby authorized to promulgate and enforce rules and regulations to effectuate the purposes of this Act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 5. All laws, and rules and regulations of the department of revenue, relating to the manner and time of payment of the tax levied by Title 51, Chapter 20, Article 9, Code of Alabama, 1940, as amended, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this Act as fully as if set out herein.

Section 6. The State Department of Revenue shall charge the county for collecting the special county taxes levied in this Act such an amount, not to exceed ten per cent of the amount collected, as the commissioner of revenue and the governing body of the county may determine. Such charge for collecting the taxes for the county may be deducted each month from the proceeds of the taxes collected before certifying the amount thereof due the county for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the tenth day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of the county during the month immediately preceding the making of such certificate. Provided, that before certifying the amount of taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct from the taxes collected in such month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public funds of the county in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of county funds shall deposit the revenue derived by the county from the taxes levied herein the general fund of the county.

Section 7. (a) None of the provisions of this Act shall be applied in such manner as to be in violation of the commerce or other clauses of the federal or state constitution. (b) This statute shall not be construed to apply to cigarettes and cigars stored by a wholesale dealer for the purpose of resale or reshipment, outside Winston County which are actually resold or reshipped.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid, or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective on the first day of the month next succeeding the date of its enactment.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY.

Personally appeared before me the undersigned authority in and for said County and State, W. D. SMITH, JR., who after being duly sworn deposes and says:

My name is W. D. SMITH, JR. I am editor and publisher of The DAILY NORTHWEST ALABAMIAN a newspaper of general circulation published in HALEYVILLE WINSTON County, Alabama. The copy of publication hereto attached was published in said paper for FOUR (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 9th day of JULY, 1965 and the last copy of said publication appearing in the said paper on the 30th day of JULY 1965.

W. D. SMITH, JR.

Sworn and subscribed to before me this 31st day of JULY 1965.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Posey:

H. 1225. To provide for the relief of T. A. Baldy of Winston County; authorizing and directing the governing body of Winston County to compensate T. A. Baldy for medical and hospital expenses incurred and for personal injuries suffered by him in connection with an injury received while performing his duty as a deputy sheriff of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the relief of T. A. Baldy of Winston County; authorizing and directing the governing body of Winston County to compensate T. A. Baldy for medical and hospital expenses incurred and for personal injuries suffered by him in connection with an injury received while performing his duty as a deputy sheriff of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Winston County is hereby authorized and directed to pay to T. A. Baldy of Winston County the sum of four thousand dollars (\$4,000) from any funds in the county treasury not otherwise appropriated as reimbursement for medical and hospital expenses incurred and as compensation for personal injuries suffered by him as the result of an injury received by him in 1964 while performing his duty as a deputy sheriff of the county. The Legislature finds that the circumstances surrounding the injury were such that the said T. A.

Baldy has an equitable and just claim against Winston County but no recourse at law to recover his damages.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
WINSTON COUNTY.

Personally appeared before me the undersigned authority in and for said County and State, W. D. SMITH, JR., who after being duly sworn deposes and says:

My name is W. D. SMITH, JR. I am editor and publisher of The DAILY NORTHWEST ALABAMIAN a newspaper of general circulation published in HALEYVILLE WINSTON County, Alabama. The copy of publication hereto attached was published in said paper for FOUR (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 9th day of JULY, 1965 and the last copy of said publication appearing in the said paper on the 30th day of JULY 1965.

W. D. SMITH, JR.

Sworn and subscribed to before me this 31st day of JULY 1965.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Posey:

H. 1226. To provide additional deputies for the sheriff of Winston County in lieu of the additional deputies heretofore provided by law; to provide for the appointment of such deputies to prescribe their duties and to fix their compensation, payable out of the general funds of the county; to repeal Act No. 158, S. 166, Regular Session 1927 (local acts 1927, p. 69) and Act No. 203, H. 617, Regular Session 1947 (local acts 1947, p. 121) both of which Acts provide for additional deputies to the sheriff of Winston County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide additional deputies for the sheriff of Winston County in lieu of the additional deputies heretofore provided by law; to provide for the appointment of such deputies to prescribe their duties and to fix their compensation, payable out of the general funds of the county; to repeal Act No. 158, S. 166 Regular Session 1927 (local Acts 1927, p. 69) and Act No. 203, H. 617, Regular Session 1947 (local Acts 1947, p. 121) both of which Acts provide for additional deputies to the sheriff of Winston County.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the chief deputy provided by law, but in lieu of any additional deputies heretofore provided by law, the sheriff of Winston County shall be allowed two additional deputies, each of whom shall be appointed by and hold office at the pleasure of the sheriff and the approval of the County governing body. Each such deputy shall be eligible to perform the duties of a deputy anywhere in the county, and shall receive a salary of \$3600.00 per annum plus an additional \$1200 per annum for expenses, all to be paid in equal monthly installments out of the general funds of the county.

Section 2. Act. No. 158, S. 166, Regular Session 1927 (Local Acts 1927, p. 69) and Act No. 203, H. 617, Regular Session 1947 (local acts 1947, p. 121), both of which Acts provide for additional deputies to the sheriff of Winston County, and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective on the first day of the month next following its passage and approval by the Governor or its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
WINSTON COUNTY.

Personally appeared before me the undersigned authority in and for said County and State, W. D. SMITH, JR., who after being duly sworn deposes and says:

My name is W. D. SMITH, JR. I am editor and publisher of The DAILY NORTHWEST ALABAMIAN a newspaper of general circulation published in HALEYVILLE WINSTON County, Alabama. The copy of publication hereto attached was published in said paper for FOUR (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 9th day of JULY, 1965 and the last copy of said publication appearing in the said paper on the 30th day of July 1965.

W. D. SMITH, JR.

Sworn and subscribed to before me this 31st day of July 1965.

MILDRED GREGG,
Notary Public.

Also:

By Mr. Bassett:

H. 1235. Relating to counties having populations of not less than 25,800 nor more than 26,700; providing an expense allowance for the superintendent of education in any such county.

Also:

By Messrs. Brown (Tuscaloosa) and Campbell (Tuscaloosa):

H. 1236. To provide an expense allowance for the Clerk of the Circuit Court in all Counties in the State of Alabama having a population of not less than One Hundred Thousand (100,000) nor more than One

Hundred Fifteen Thousand (115,000) inhabitants according to the last or any subsequent Federal decennial census.

Also:

By Messrs. Rast, Hawkins, Morrow, Etheredge, Perry, Meeks, Vacca, Sessions, Brown (Jefferson), Gilmore, Locke, Bethea (M), Dominick and Bowers:

H. 1216. To provide for the calculation and payment of salaries on a monthly, semi-monthly, each two weeks or weekly basis of all elected officials in counties in this State having a population of 500,000 or more according to the last, or any subsequent Federal census; to provide for the repeal of all laws or parts of laws, general, special or local in conflict herewith; and to provide for the effective date of this Act.

Also:

By Messrs. Rast, Hawkins, Morrow, Etheredge, Perry, Meeks, Vacca, Sessions, Brown (Jefferson), Locke, Dominick, Bethea (M), Bowers and Gilmore:

H. 1218. To further amend Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376-400) as heretofore amended.

Also:

By Messrs. Rogers, Edington and Engel:

H. 1234. To authorize the Director of Conservation to open a season in counties having a population of not less than 300,000 nor more than 500,000, for the hunting of female deer or unantlered male deer.

Also:

By Mr. McDermott:

H. 1233. To alter, re-arrange and extend the boundaries and corporate limits of the City of Chickasaw, Mobile County, so as to annex certain territory to the city.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, re-arrange and extend the boundaries and corporate limits of the City of Chickasaw, Mobile County, so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Chickasaw in Mobile County, are hereby altered, re-arranged and extended so as to incorporate within the City of Chickasaw the following

described territory presently incorporated within the City of Prichard, to-wit:

Beginning on the south line of Second Avenue at the northeast corner of Lot 10, Block 13, North Mobile, as shown by map of the Survey of North Mobile, as recorded in Deed Book 145 N. S. Pages 252 to 263, inclusive, of the records in the office of the Judge of Probate of Mobile County, Alabama, said point being on the west right of way line of the Alabama State Docks Terminal Railway; thence run southwardly along the said west right of way line of the Alabama State Docks Terminal Railway to a point 250 feet south of the westward projection of the south line of Third Avenue; run thence westwardly parallel to the westward projection of the north line of Fourth Avenue to the center line of Gum Tree Branch; thence run southwardly and southeastwardly along the meanders of the said center line of Gum Tree Branch to a point on the westward projection of the south property line of Twelfth Avenue; thence run eastwardly along the said westward projection of the south property line of Twelfth Avenue to a point on the southward projection of the west line of Fifth Place; thence run north along the southward projection of the west line of Fifth Place a distance of 730 feet, more or less, to a point on the south line of Tenth Avenue; run thence west along the south line of Tenth Avenue a distance of 150 feet, more or less, to a point on the southward projection of the east line of Erie Street; run thence north along the southward projection of the east line of Erie Street and the east line of Erie Street a distance of 630 feet, more or less, to a point; run thence west a distance of 500 feet, more or less, to a point on the southward projection of the west line of Delaware Street; run thence north along the southward projection of the west line of Delaware Street and the west line of Delaware Street a distance of 640 feet, more or less, to a point on the projected south line of the east-west alley dividing Block 70 of said North Mobile; run thence west along the projected south line of said alley a distance of 625 feet, more or less, to a point on the southward projection of the west line of Second Place; run thence north along the southward projection of the west line of Second Place and the west line of Second Place a distance of 690 feet, more or less, to a point on the section line between Sections 20 and 29; run thence west along said section line a distance of 225 feet, more or less, to a point on the southward projection of the east line of Blackfoot Street; run thence north along the southward projection of the east line of Blackfoot Street and the east line of Blackfoot Street a distance of 1,250 feet, more or less, to the south line of Second Avenue; run thence west along the south line of Second Avenue a distance of 350 feet, more or less, to the northeast corner of Lot 10, Block 13, of said North Mobile, which is the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is office manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 12, 19, 26, July 3, 1965.

E. E. KOCH.

Sworn to and subscribed before me This 29 day of July 1965.

ROSALIE PERGANTIS,
Notary Public.

Also:

By Messrs. Edington, Engel, McDermott, Hogan, Rogers, Downing and Collins (Mobile):

H. 1231. For the relief of Mrs. Emma J. Bray authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by Mrs. Bray on the Courthouse premises.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Mobile.

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of the State of Alabama and application for its passage and enactment will be made, to-wit:

ROBERT S. EDINGTON,
Member, House of Representatives

AN ACT

For the relief of Mrs. Emma J. Bray authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by Mrs. Bray on the Courthouse premises.

Be It Enacted by the Legislature of Alabama:

Section 1: The County Commission of Mobile County is authorized to appropriate from the general funds of the County the sum of Two Thousand and No/100 (\$2,000) Dollars to Mrs. Emma J. Bray, a citizen of Mobile County, to compensate her for injuries received by her on April 6, 1964, when she slipped and fell on the steps of the Mobile County Courthouse under circumstances in which the County should, though not legally required to do so, pay her damages resulting from this injury.

Section 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is office manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 10, 17, 24, 31, 1965.

E. E. KOCH.

Sworn to and subscribed before me This 31 day of July 1965.

ROSALIE PERGANTIS,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1224, 1225, 1226, 1235, 1236, 1216, 1218, 1234, 1233 and 1231. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent to the Senate without engrossment:

By Mr. Meade:

H. 1037. Relating to Cherokee County; further regulating the salaries of the chairman and members of the county board of revenue.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CHEROKEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Cherokee County; further regulating the salaries of the chairman and members of the county board of revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. In Cherokee County, each member of the county board of revenue shall be paid an annual salary of \$3,600, and the chairman of said board shall be paid an annual salary of \$6,000. Such salaries shall be paid in equal monthly installments from the general fund of the county.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The salaries herein provided for shall become effective at the beginning of the term of the next elected members of the County Board of Revenue.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, and upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, Lois M. (Sisk) Fleming a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and

complete copy of A bill to be entitled an Act as published in said newspaper once a week for four consecutive weeks, 6-23-65, 6-30-65, 7-7-65, 7-14-65, beginning on the 23rd day of June, 1965, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 21st day of July, 1965.

LOIS M. FLEMING,
Notary Public.

Also:

By Mr. Hester:

H. 1172. To amend Act No. 515, H. 756, Regular Session 1963 (Acts 1963, p. 1100), an act providing for a privilege license tax in Franklin County on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 515, H. 756, Regular Session 1963 (Acts 1963, p. 1100), an act providing for a privilege license tax in Franklin County on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other taxes imposed by law, every person, firm or corporation who sells, stores, delivers, uses, or otherwise consumes, cigarettes or cigars in Franklin County shall pay a privilege license or tax in the following amount:

"(a) One cent (\$.01) for each package of cigarettes made of tobacco or substitute therefor.

"(b) One cent (\$.01) for each package of twenty little cigars made of tobacco or any substitute therefor.

"(c) One cent (\$.01) for each cigar of any description other than those described in (b) above made of tobacco or any substitute therefor.

"Provided, however, when the license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes and cigars such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on each package of cigarettes, on each package of little cigars and on each cigar."

Section 2. This Act shall become effective October 1, 1965.

STATE OF ALABAMA,
FRANKLIN COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, co-owner and editor of the Franklin

County Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin County Times for four (4) consecutive weekly issues beginning with the issue of July 8, 1965 and ending with the issue of July 29, 1965.

Subscribed and sworn to before me, this the 29th day of July 1965 at Russellville, Ala.

CLAUDE E. SPARKS.

MAE G. STREIT,
Notary Public.

My commission expires 2/19/66

Also:

By Messrs. McDermott, Engel, Collins (Mobile), Downing, Hogan, and Edington:

H. 1190. To provide retirement allowances for certain elected officials and former elected officials of Mobile County and of incorporated municipalities therein; providing for contributions by elected officials from the salaries paid them as public officials; providing for approval of a majority of the voters in the respective political subdivisions before the provisions of this act can become operative as to any such subdivision.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To provide retirement allowances for certain elected officials and former elected officials of Mobile County and of incorporated municipalities therein; providing for contributions by elected officials from the salaries paid them as public officials; providing for approval of a majority of the voters in the respective political subdivisions before the provisions of this act can become operative as to any such subdivision.

Be It Enacted by the Legislature of Alabama:

Section 1. As used in this act, the term "elected official" shall include the mayors and members of the board of commissioners and city and town councils of every incorporated municipality in Mobile County and shall also include the following officials of Mobile County: members of the County Commission, tax assessor, tax collector, treasurer, commissioner of licenses, judge of probate, judges of the Court of General Sessions, circuit clerk and sheriff. It shall not include circuit judges, circuit solicitor, county administrator, county coroner, members of the Board of School Commissioners or members of the legislature from Mobile County. The term "former elected official" shall mean any person who has formerly served in any one or more of the offices described by the term "elected official".

Section 2. Each former elected official who has served not less than eighteen (18) years in said office or a combination of two or more

of said offices shall be entitled to, and shall be paid, a retirement allowance equal to fifty per cent (50%) of average compensation in such official's ten highest-paid years while in covered office.

Section 3. Each elected official who, upon completion of his service in a covered office or combination thereof, shall have served not less than eighteen (18) years in said office or combination thereof and shall contribute an amount equal to two and one-half percent (2½%) of the annual salary of the covered office in which he serves, shall be entitled to, and shall be paid, a retirement allowance equal to fifty percent (50%) of average compensation in such official's ten highest-paid years while in covered office. Such contributions shall be paid in equal monthly installments to the general fund of the governmental unit which such official serves.

Section 4. The retirement benefit provided for in Sections 2 and 3 above shall start when the person entitled thereto attains his 65th birthday, if male, or her 62nd birthday, if female. However, retirement benefits shall start for an eligible participant earlier in the event of total and permanent disability. Total and permanent disability means a physical or mental condition of an eligible participant resulting from a bodily injury or disability or mental disorder which renders him incapable of engaging in an occupation and performing any work for profit, which disability shall be certified by one physician selected by participant and one physician selected by the governing body of the political subdivision responsible for payment of the retirement benefit. If the physicians thus selected cannot agree, they shall select a third physician and the decision of the majority of the three shall be controlling. Providing further, that nothing contained in this act shall be construed to entitle a participant to a retirement benefit who has not served a minimum of eighteen (18) years in one or more of the elective offices as above defined, nor to entitle any participant to a retirement benefit while he is still in covered office.

Section 5. The retirement benefits provided by this act shall be paid from the general funds of the governmental unit or units which paid the salary of the official during covered office. In the event that any entitled participant shall have served as an elected official of more than one such governmental unit within the county, each such governmental unit shall pay to the entitled participant its pro rata share of the total benefit to which he is entitled. The pro rata share to be paid by each such governmental unit shall be based on the number of years comprising the ten highest years of compensation that the participant served with such governmental unit. The governing body or bodies of the obligated governmental units shall order the payments provided in this act paid from their respective general funds, with the annual benefit to be paid in equal monthly installments not later than the tenth day of each month following the month for which the allowance is due.

Section 6. Nothing contained in this act shall be construed as making participation through contributions by elected officials as mandatory, but any such official who does not participate by contribution shall not be entitled to the retirement benefits provided by this act. Any elected official who commences contributions but who does not serve a total of eighteen (18) years as herein provided shall be entitled, or in the event of his death his personal representative shall be entitled, to a refund of the total amount of money, without interest, thus contributed by such elected official during his service, upon making verified claim therefor to the governing body or bodies of the affected governmental unit or units. Any elected official who fails to make the contributions herein provided shall not thereafter be allowed to pay past accrued contributions in order to avail himself of the benefits afforded by this act.

Section 7. Former elected officials shall not be required to make contributions in order to be eligible for the benefits afforded by this act, but elected officials in office at the time the provisions of this act become operative, in order to be eligible for the benefits provided hereby, shall be required to commence contributions beginning with the first month next following the date when the provisions of this act become operative. Subsequently-elected officials, in order to be eligible, shall commence contributions upon taking office.

Section 8. Neither the retirement benefits afforded by this act, nor the particular offices covered hereby nor the number of years' service herein designated as minimum shall be enlarged or amended without the affirmative vote of a majority of the qualified electors of the county or affected municipality voting in a referendum held for that purpose.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. The provisions of this act shall become operative as to elected officials holding, and former elected officials who held, countywide office only when approved by a majority of the qualified electors of the county voting in a referendum held for that purpose, and as to elected and former elected municipal officials, only when approved by a majority of the qualified electors of the affected municipality voting in a referendum held for that purpose. The first referendum for the county and all municipalities therein shall be held on the same day as the first countywide primary, general, or special election held in the county after the passage of this act. The county commission of Mobile County shall order and provide for holding the referendum on such date. Subsequent elections on the question may be ordered and provided for by the governing body of the county or any municipality at intervals of not less than one year if the county or such municipality fails to approve the act. Any election held hereunder shall be governed by the laws applicable to general elections held in Mobile County.

Section 11. All laws or parts of laws which conflict with this act are hereby repealed.

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said State and County, personally appeared Lillian J. Schermer who, being by me first duly sworn, did depose and say as follows:

My name is Lillian J. Schermer. I am Publisher of the Gulf Coast News Digest, a newspaper printed and published in the City of Mobile, County of Mobile, State of Alabama, and have the authority to make this affidavit. I further certify that the attached publication was duly made in the Gulf Coast News Digest in its issues of July 7, July 14, July 21, and July 28, 1965, and that the attached copy is a true and correct copy of the notice as the same appeared in said issues of said newspaper.

LILLIAN J. SCHERMER.

Sworn to and subscribed before me on this the 28th day of July, 1965.

MARIE CECILIA HORN,
NOTORY PUBLIC, MOBILE COUNTY, ALA.

My Commission expires 8/23/67.

Also:

By Messrs. Owens, Burns and Nabors:

H. 1215. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

Also:

By Messrs. Hannah and Boston:

H. 1219. Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; further regulating the execution of civil processes issued by justice of the peace courts and ex officio justice of the peace courts in precincts lying within, or partly within, any city or incorporated town having more than fifteen hundred inhabitants and located in a county to which this Act applies; providing that all such civil processes issued by such justice of the peace courts and ex officio justice of the peace courts shall only be executed or served by the regular constable elected or appointed to serve such precinct, or by deputy constables appointed by him, or by the Sheriff or Chief Deputy Sheriff of such county, or by any deputy sheriff of such county whose compensation is regularly paid from the general funds of such county under authorization of local legislation enacted by the Legislature of Alabama; further authorizing the appointment of not more than three deputy constables by the regular constable elected or appointed to serve such precinct and prescribing their qualifications, powers and duties.

Also:

By Messrs. Hannah and Boston:

H. 1220. Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; authorizing the court of county commissioners or other like governing body of such counties to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1037, 1172, 1190, 1215, 1219 and 1220. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 53. Relative to the Choctaw County General Hospital.

Also:

S. J. R. 52. Relative to designating S. B. 68 "The Lolley, Nichols and Nabors Bill."

Also:

S. J. R. 54. Relative to the death of Mr. Arthur Curtis Branyon.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 934. To amend Act No. 294, H. 802, of the Regular Session of 1963 (Acts of 1963, p. 755), an act creating the Commission on Government and Finance of Marshall County, so as to regulate further the purchasing, handling, use and sale of county-owned property, the leasing, renting or hiring by the county of property, and the keeping of records relative thereto; and to prescribe penalties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its Consideration:

By Messrs. Edwards (Escambia) and Jones (Monroe):

H. J. R. 141. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we hereby express our deep regret at the State's loss of an outstanding citizen of Brewton, Dr. A. M. Gowan, an excellent dentist and an active political and social leader in his community, who for many years had contributed generously of his time and talents in promoting not only the welfare of Escambia County but of the whole state.

RESOLVED FURTHER that the sincere sympathy of this body is extended to the surviving members of Dr. Gowan's family, and in token thereof the clerk of the House shall send a copy of this resolution to Mrs. A. M. Gowan at Brewton, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brannan, the Rules were suspended and the Resolution, H. J. R. 141, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 469, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 469 with suggested executive amendments.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 10, 1965

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 469, without my signature and approval, and with suggested executive amendments, as follows:

Amend House Bill 469 by striking Section 2 thereof and substituting in lieu thereof, Section 2 to read as follows:

"Section 2. Any person desiring to fish with wire mesh baskets in Coosa County may apply to the Probate Judge of Coosa County and shall pay a privilege license tax of one dollar and an issuance fee of twenty-five cents for the Probate Judge for each basket to be fished. Such licenses shall not be issued for more than three baskets to any one person, and no license shall be issued to any person holding a commercial fishing license. The Probate Judge shall issue such license on forms provided by the county governing body and shall keep a permanent record of all licenses issued and all taxes received. Licenses shall be issued on the basis of the fiscal year and shall expire on September 30 of each year."

Amend said House Bill 469 further by striking Section 3 and substituting in lieu thereof Section 3, to read as follows:

"Section 3. All revenues derived from the sale of licenses as provided in this act shall be paid over to the Director of the State Department of Conservation, to be credited to the Game and Fish Fund and shall be spent for the improvement of fishing resources within Coosa County or for such other purposes as the Director of Conservation may deem wise. The Probate Judge shall retain for his own use all issuance fees collected."

Amend said House bill 469 further by striking therefrom Section 4 and substituting in lieu thereof Section 4, to read as follows:

"Section 4. Any basket or baskets that may become legal for use in the waters of such county under the provisions of this Act shall be clearly marked with the name of the licensee operating, using and owning said basket and the license number of said basket. It shall be illegal for any person to raise, inspect or take fish from any wire basket that may be legalized under the provisions of this Act unless such person shall hold in his name and have in his possession the license for the particular basket he is raising, inspecting or from which he is taking fish. Nothing in this section shall prevent the raising of such baskets for inspection by any officer, agent or employee of the Department of Con-

servation. Any person who violates the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars. In addition, all basket licenses for such person shall be revoked, and no other such licenses shall be issued to him until the expiration of a period of three (3) years from the date of such conviction."

The above suggested executive amendments have the full knowledge and approval of the author of the bill, and, if adopted, will remove my objection to said House Bill 469.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 469, by a vote of Yeas 55, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 469. To apply in Coosa County; regulating further the taking of fish from public streams and impounded waters; authorizing the use of baskets and to provide for a privilege license tax on same.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 62, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Mathews, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 469, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Horton	Reynolds
Adams	Eddins	James	Robison (Pickens)
Allen	Evans	Mathews	Shelton
Bentley	Givhan	McDow	Smith
Brannan	Hammond	Montgomery	Taylor
Carter	Hawkins	Oden	Tyson
Clark	Hornsby		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 949, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 949 with a suggested executive amendment.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 10, 1965

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 949, without my signature and approval, and with a suggested executive amendment.

I would suggest that House Bill 949 be amended by adding at the end of Section 1 thereof, the following:

"Provided, however, no such board of trustees or other governing body of any such public hospital shall pay a higher premium for any such insurance than would be required if insured through the State Insurance Fund."

The above suggested executive amendment has the full knowledge and approval of the author of said bill, and, if adopted, will remove my objection to said House Bill 949.

Respectfully,
GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 949, by a vote of Yeas 59, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 949. Relating to counties having populations of not less than 31,500 nor more than 33,500; regulating further the insuring of certain public buildings in such counties, together with the equipment, furniture, fixtures, and other property in such buildings.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 55, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. McDow, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill,

H. B. 949, the title of which and said Executive Amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Montgomery)
Allen	Hammond	McDow	Robison (Pickens)
Brannan	Hornsby	Montgomery	Smith
Clark	Horton	Oden	Taylor
Cooper	James	Reynolds	Tyson
Dumas	Lolley	Roberts	Wilson
Eddins	Lowe		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Cook:

H. J. R. 143. WHEREAS, Miss Linda Folsom of New Brocton has recently been elected "Miss Alabama," and, therefore, will represent Alabama in the "Miss America Contest" at Atlantic City; and

WHEREAS, Miss Folsom's natural, unsophisticated beauty, exceptional coloratura soprano voice, winsome manner and charming personality make her a likely choice for "Miss America," now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are most pleased to have our State represented by such a beautiful, talented and poised young lady as Miss Folsom; we commend the judges who selected her to represent this State for their excellent taste and judgment, and extend our felicitations to Miss Folsom on winning the first hurdle to becoming Miss America. Our best wishes will go with Miss Folsom to Atlantic City. If a pretty, talented, wholesome young lady, who typifies the best in America today is sought for "Miss America of 1966" then we are confident that Miss Folsom will be the winner.

RESOLVED FURTHER, That we invite Miss Folsom to visit the Senate and House of Representatives of the Alabama Legislature at her convenience, provided her busy schedule permits.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 143, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Owens and Cates:

H. J. R. 144. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the four members of the Senate and the four members of the House of Representatives, who are currently serving as members of the Building Commission, established by Act No. 128, H. 129, of the Regular Session of 1945 (General Acts of Alabama of 1945, p. 116), are hereby constituted a special committee to investigate the cost and feasibility of constructing a building for the use of the Legislature on the Jesse Earl Speight Mall which lies between Union and Ripley Streets and adjacent to the State Administrative Building and the State Highway Building.

Such committee shall investigate the cost and feasibility of constructing a building which will provide parking facilities on two floors or levels thereof and office space, suitable for use by members of the legislature above the parking area, and shall be connected with the Capitol by means of a bridge, overpass or viaduct over Union Street which will provide easy access to the House and Senate Chambers by means of an entrance into the Capitol on the same floor with such Chambers.

BE IT FURTHER RESOLVED that the special committee, hereby established, shall meet and organize, by electing a chairman and a secretary as soon after this resolution is adopted as practicable. Thereafter it shall meet regularly at such times as the committee prescribes or upon the call of the chairman or upon the call of a majority thereof. Each member of the committee shall be entitled to receive for each day on which he attends a meeting of the committee the same per diem and expenses provided for members of the Legislature. The committee may employ such technical and clerical assistants as are reasonably needed to accomplish its purpose. However, the per diem and expenses of the members and the amount paid for assistants and all other expenses incurred by the special committee, shall not exceed \$5,000 and shall be paid from any funds appropriated for the use of the Legislature. The special committee shall report its findings and recommendations to the Legislature not later than the tenth legislative day of the 1967 Regular Session.

BE IT ALSO RESOLVED that this special committee may enlist the aid of the Building Commission, the State Planning Board and any and all other state agencies, and in making its recommendations shall bear in mind the over-all plan for the development of the Capitol Complex.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hawkins, the Rules were suspended and the Resolution, H. J. R. 144, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Callahan:

MEMORIAL RELATIVE TO AMENDMENT OF SOCIAL SECURITY LAW

H. J. R. 142. WHEREAS the hearings and decisions of the Department of Health, Education and Welfare, Social Security Division have

resulted in many unfair and unjust decisions with respect to applicants for disability benefits, and

WHEREAS under the present law, the federal courts have such limited review of the matter, the Legislature of Alabama does hereby recommend and respectfully request the Alabama delegation in the United States Congress to attempt to have the law as it now stands concerning these claims so amended that applicants for such claims will have the following rights under the amended law:

1. A hearing examiner shall hold a hearing not later than six months after the request for such hearing has been received.

2. All evidence introduced at the hearing shall be given under oath or supported by affidavit.

3. The hearing examiner shall render his decision not later than sixty days after the hearing is completed.

4. The complainant or applicant may appeal any such decision rendered by federal district court wherein the trial shall be held de novo. New or additional legal evidence may be submitted and the decision of the court shall be rendered only on the evidence introduced at such trial.

5. The complainant or applicant in any such trial in federal district court shall be guaranteed the right of trial by jury when such complainant or applicant so requests such right.

6. The provision for benefits under the Social Security Law shall be so amended as to define total disability as follows: "A person shall be deemed to be totally disabled if he or she is not mentally or physically able to perform the duties of his or her usual occupation." Usual occupation shall mean that occupation which has produced the major portion of the claimant's or applicant's income for a period of not less than ten years; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING That this body respectfully and earnestly requests the Congress of the United States to review and to amend the provisions of the Social Security Law so as to provide for fairer and more equitable settlement of claims under the law.

BE IT FURTHER RESOLVED That copies of this Resolution be sent to the two United States Senators from Alabama, Senator Hill and Senator Sparkman.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 142, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Military.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 139. Relative to the appointment of Representative Clara Stone Collins of Mobile as Alabama's official delegate to the Order of Women Legislators Conventions of 1965 and 1966.

Also:

H. J. R. 136. Relative to expressing sympathy to Representative James Branyon upon the death of his brother, Arthur Curtis Branyon.

Also:

H. J. R. 108. Relative to congratulating Colonel W. Tandy Barrett upon his receipt of the Gold Medal of Merit of the "Veterans of Foreign Wars."

Also:

H. J. R. 119. Relative to designating Carrie Henderson Hall at the Alabama School for Deaf and Blind at Talladega.

Also:

H. J. R. 128. Relative to expressing regret upon the death of Mr. Clyde W. Anderson of Florence.

Also:

H. J. R. 133. Relative to the retirement of The Honorable Robert E. Sutton, Sr. of Linden.

Also:

H. J. R. 135. Relative to commending Mr. Joseph A. Conner and The Saint Dominic Savio Circle 1516 of Mobile.

Also:

H. J. R. 137. Relative to mourning the death of Mr. Ed E. Reid.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 685. To amend Section 204, Section 207, Section 213, Section 214, Section 224, Section 225 and Section 243, Title 26, Code of Alabama 1940, as last amended, and to repeal Section 212, Title 26, Code of Alabama 1940, all relating to unemployment compensation.

Also:

H. 482. To levy in each county of the State having a population of 500,000 or more according to the last or any subsequent federal census, a privilege or license tax against persons engaged in said county in the business of selling tangible personal property at retail or conducting places of amusement or entertainment or engaged in said county in any business subject to the State sales tax, and to levy an excise tax on the

storage, use or other consumption in said county of tangible personal property purchased at retail; to provide that the said privilege or license taxes are required to be passed on to the consumer or purchaser at retail to the extent provided for in this act; to provide for the making of reports or returns and the keeping of records with respect to the taxes herein levied; to provide that the exemptions applicable to the State sales tax statutes and the State use tax statutes, as said statutes may from time to time be amended, shall be applicable respectively to the said privilege or license tax and the said excise tax; to confer power to administer the act upon the Commissioner of Licenses or other officer or employee of the county charged with the duty of collecting county business license taxes or other license taxes now or hereafter required by law to be paid; to provide for the collection of the taxes levied by this act; to authorize the said Commissioner of Licenses, or other county officer or employee collecting said business license taxes or other license taxes, as aforesaid, to enforce such collection by civil suit, injunction, and accounting or any of them; to provide that the taxes levied by this act shall constitute a lien and to provide that such lien shall be superior to all other liens except the liens of ad valorem taxes, other license taxes, and municipal assessments; to provide for the enforcement of the lien of the taxes levied by this act; to provide that any taxpayer dissatisfied with the assessment made against him with respect to any such tax may appeal from the assessment to the Circuit Court of the county, sitting in equity, and to prescribe the procedure on such appeal; to establish the County Indigent Care Fund to be used by the county in supplying hospital care and other medical care and necessities to the indigent sick of the county; to prescribe the amount of the taxes so collected which shall be paid into the general fund of the county for the collection of said taxes and for the enforcement and administration of this act; and to provide that the remainder of said taxes shall be paid into the County Indigent Care Fund and used for the purpose for which said fund is established by this act.

Also:

H. 483. To levy a license tax in all counties in this State of 600,000 population or more according to the last or any succeeding federal census, on persons and others engaged in selling alcoholic, spirituous, vinous, or fermented liquor at retail to fix the rate or amount of such tax in the following amounts: Whiskey, gin, brandy, rum, vodka, cocktails, and all other alcoholic beverages except malt beverages, wines and other fermented beverages, sold, distributed, delivered, stored, or taken out of storage within the county, on each bottle or container of two (2) ounces or less, ten cents (10¢); on each bottle or container of more than two (2) ounces and not more than one-half pint, twenty-five cents (25¢); on each bottle or container of more than one-half pint and not more than one pint, one dollar (\$1.00); on each bottle or container of more than one pint and not more than one-fifth of a gallon one dollar and sixty cents (\$1.60); on each bottle or container of more than one-fifth of a gallon and not more than one quart, two dollars (\$2.00); on each bottle or container of more than one quart, two dollars (\$2.00) plus ten cents (10¢) for each one and six-tenths (1-6/10) ounces or fractional part thereof in excess of one quart. Wines and other fermented beverages sold, distributed, delivered, stored, or taken out of storage within the county, on each bottle or container, twenty-five cents (25¢); to provide for the payment of such tax, the making of records and reports, and the maintaining of records with respect thereto; to provide for the collection and distribution of said tax, and the enforcement of the provisions of this act; to provide that the Board of Revenue, County Commission, or like governing body of such counties, shall have authority to adopt ordinances, rules and regulations pertaining to the collection of the tax, and the making of reports and maintaining of records with respect thereto, and providing that such ordinances, rules, and regulations shall have the

force and effect of law; to provide that the tax imposed shall constitute a debt to such county and may be collected by civil suit in addition to all other methods provided by law; to provide penalties for the violation of the provisions of this act; to provide that the tax, together with interest and penalties with respect thereto, shall constitute and be secured by, a lien upon the property of any person from whom the tax is due; to require any person or others engaged in selling alcoholic, spirituous, vinous, or fermented liquor to obtain a permit from the Judge of Probate, License Commissioner, Director of County Department of Revenue, or other public officer performing like duties in such counties; and to make a deposit of cash or marketable securities or to file a bond in an approximate sum of two times the estimated average monthly tax; to provide that the revenue derived from the tax, less the cost of collection, shall be paid into an Indigent Care Fund and to provide the purpose or purposes for which said tax may be expended; to repeal any act now in effect in counties subject to this act which levies a license tax on the sale of alcoholic, spirituous, vinous, or fermented liquors, and specifically to repeal Act No. 559 of the 1959 Regular Session of the Legislature of Alabama, approved November 15, 1959; to provide for appeals from any tax assessment made under this act and to provide that all taxes due and the remedies and penalties under said statutes repealed shall continue in effect as to any taxes accrued under said repealed statutes; to provide and fix penalties for the violation of any of the provisions of said Act; and to otherwise provide for the administration of said Act and the effective date thereof.

Also:

H. 633. To amend Section 2 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to re-state and expand the declaration of legislative intent of said act to include, as one of the purposes of said act, the re-location, in or around the same municipality, of manufacturing, industrial, commercial or research projects to replace any such projects all or a major portion of which have been acquired for one or more public purposes by certain public bodies, whether by purchase, condemnation or otherwise.

Also:

H. 903. To provide an expense allowance for each circuit judge of all judicial circuits, composed of only one county, which has a population of not less than 48,020 nor more than 49,750 according to the most recent federal decennial census, when the circuit judge is ex officio judge of the juvenile court; and to provide for the payment of such expense allowance out of the general fund of the county.

Also:

H. 966. Relating to counties having a population of not less than 25,800 nor more than 26,700 according to the most recent federal decennial census; to provide further for the selection of textbooks and instructional materials for use in the public schools in such counties.

Also:

H. 922. To confer upon the circuit solicitor and other solicitors in all counties having a population of not less than 96,000 nor more than 116,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal and breach of peace cases in such counties.

Also:

H. 865. Relating to counties having populations of not less than 55,000 nor more than 60,000, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 660. Relating to the employees' pension and retirement fund of the City of Mobile; amending Section 471 of Title 62, Code of Alabama 1940.

Also:

H. 564. Relating to the City of Mobile Pension and Relief System for City Police and Fire Department members; amending Section 8 of Act No. 243 of the First Special Session of 1964; Acts of Alabama, 1964, p. 326.

Also:

H. 190. To amend Section 172 of Title 2 of the Code of Alabama of 1940 relating to the annual permit required for the operation of a cotton gin.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Holladay and NeSmith:

H. 787. Relating to equity rules; providing for evidence of service of process upon certain non-resident parties defendant; amending Section 2(b) of Rule 5, Alabama Equity Rules (Code of Alabama 1940, Appendix to Title 7).

By Mr. Etheredge:

H. 621. Relating to civil remedies and procedures; providing further for determination of rights and liabilities connected with or growing out of or related to a cause of action in one suit or proceeding by authorizing and regulating filing of cross-claims and providing for third party practice in civil actions at law.

By Messrs. Branyon, Campbell (Tuscaloosa), Hankins and Avery:

H. 264. To amend further Title 34, Sections 27 and 29, Code of Alabama 1940, both of which relate to period of residence requirements in divorce suits.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Rast et al (with amendment):

H. 385. To regulate the sale, purchase, possession and use of dynamite and tri-nitro-toluene (TNT), blasting caps or fuse or electric detonators; requiring permits for such purchases or possession and certain uses; providing for records and reports; and prescribing penalties for violations.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rogers et al:

H. 728. Relating to crimes and offenses: To make it a crime to avoid or attempt to avoid, with intent to defraud, payment or billing of lawful charge for telecommunication service, or knowingly, with intent to avoid payment or billing of such lawful charge, to conceal or attempt to conceal existence, place of origin or destination or sender, addressee or receiver of message, signal or communication by or over facilities of telecommunication from supplier of such service, or to use, attach or cause to be attached prohibited instrument, or to in any manner manipulate, tamper or interfere to or with communication line, channel, device or facility of supplier of telephone, telegraph or telecommunication service, or to make, manufacture, possess, use, employ, transport, purchase, transfer, sell, offer or advertise to sell, prohibited instrument; to define term prohibited instrument; to establish rules of evidence in connection therewith; to prescribe penalties therefor; to provide for the search, seizure and destruction of prohibited instruments; to repeal Act No. 420, Acts of Alabama, Regular Session 1959, approved November 13, 1959, and all other conflicting laws.

By Mr. Allen:

S. 531. To amend Code of Alabama 1940, Title 55, Section 348, which relates to the seal, powers, authority and duties of the boxing and wrestling commission, so as to authorize such commission to collect a percentage of the gross proceeds from the sale, lease or other exploitation of broadcasting, television and motion picture rights in boxing, sparring or wrestling matches or exhibitions and a percentage of the gross admission charges made to view televised boxing, sparring or wrestling matches or exhibitions, and to provide for the collection of such taxes.

By Mr. Metcalf:

S. 603. To define and create the statutory offenses of inciting to felony and of inciting to misdemeanor; and to prescribe punishment therefor.

By Messrs. Hain and Blanton:

H. 967. To amend Code of Alabama 1940, Title 15, Sections 401, 402, 404, 408, 409, 410, 411, 412, 413, 414, 416, 419, 420, and 421, to make the peace bond procedure applicable to persons breaching the peace and public order.

By Messrs. Turnham and Crawford:

H. 356. To revise and amend Section 74(56) of Title 36 of the Code of Alabama, 1940, all of which relates to payments sufficient to satisfy requirements under the Motor Vehicle Safety-Responsibility Act.

By Mr. Holladay:

H. 841. To revise and amend Section 68 of Title 36 of the Code of Alabama, 1940, as amended and recompiled relating to the cancelling, suspending or revoking of license or driving permit.

By Messrs. Turnham and Crawford:

H. 355. To revise and amend Section 74(46) of Title 36 of the Code of Alabama, 1940, all of which relates to security required, suspension of licenses and registrations under the Motor Vehicle Safety-Responsibility Act.

By Mr. Posey et al:

H. 896. To amend further Act No. 382, H. 834, approved September 9, 1955, an act authorizing the director of the highway department to issue special permits for movement of certain oversize vehicles on public highways (Acts 1955, p. 916).

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hammond (with notice and proof):

S. 611. To alter or rearrange the boundaries of the Town of Powells Crossroads, DeKalb County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto.

By Mr. Carter (with notice and proof):

S. 605. To repeal Act No. 348, H. 803, approved August 30, 1963 (Acts of Alabama 1963, vol. 2, p. 842), entitled, "An Act To prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months, and describing penalties."

By Mr. Roberts (with notice and proof):

S. 606. To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

By Mr. Carter (with notice and proof):

S. 608. To allow the establishment of branch banks in Jackson County.

By Mr. Carter (with notice and proof):

S. 607. To amend Act No. 209, S. 120, Regular Session 1963, an act providing for and requiring reidentification of electors in Jackson County.

By Mr. Hawkins:

S. 609. To authorize, provide for, and regulate the introduction in evidence in any court when the original thereof would be relevant and material, of certified copies of certain hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining and handling such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probative value of such records, in all counties having a

population of not less than 76,000 nor more than 109,000 according to the most recent federal decennial census.

By Mr. Horton (with notice and proof):

S. 610. To alter or rearrange the boundary lines of the Town of Elkmont, Limestone County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

By Messrs. Boston and Hannah:

H. 508. To provide further for the supplemental compensation of the Circuit Solicitor in every circuit composed of only one county having two Circuit Judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

By Messrs. Hannah and Boston:

H. 717. Relating to the office of the sheriff of counties having populations of not less than 61,000 nor more than 65,000; creating a civil service board of appeals, regulating tenure of employment for deputies, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

By Mr. Dominick et al:

H. 1001. To provide that in all counties having a population of more than 600,000 inhabitants according to the last or any succeeding census, it shall be unlawful for any person to file for record certain legal documents that do not have legibly printed, typewritten or stamped thereon the name and address of the person or persons who prepared such legal documents, and to provide that it shall be a misdemeanor for anyone to falsify said statement; and To further provide that in all such counties, the judge of probate shall not be liable in damages or penalty for any error or mistake in the performance of the duties prescribed by this Act if committed in good faith.

By Mr. Rast et al:

H. 1052. To amend Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, P. 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census.

By Mr. Bethea (M) et al:

H. 1129. To establish in any county of this State having a population of 600,000 or more people according to the last or any future Federal Census a Board to review and license the exhibiting of movies to minors under eighteen (18) years of age; to provide for a judicial determination of the issue of fitness of any movie or view for viewing by minors under eighteen (18) years of age; and to provide penalties.

By Mr. Carr (with notice and proof):

H. 1142. Relating to Marshall County: To abolish the branch of the circuit court of Marshall County and the branch offices of the clerk and register thereof at Albertville if the qualified voters of Marshall County approve of the abolition of such branch of the court at a referendum election held pursuant to this Act.

By Mr. Carr (with notice and proof):

H. 1143. To consolidate the branches of the County Court of Marshall County and provide for the holding of the court at Guntersville; to provide for the consolidation of the dockets of the branches of the said court and the continuation of cases begun in such branches; and to provide for the transfer of the books, records and documents of the Albertville Branch of such court to the court in Guntersville.

By Mr. Carr (with notice and proof):

H. 1144. To provide that the sheriff of Marshall County need not keep a deputy in an office at the courthouse in Albertville and to provide for the transfer of the records heretofore kept in Albertville by such sheriff or his deputy to the sheriff's office in the courthouse at Guntersville.

By Mr. Morrow et al:

H. 1176. To provide for the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000 according to the last or any subsequent Federal Census (any such county being hereinafter referred to in this title as "the County" or "such County"); to provide for the creation of a public corporation, hereinafter called "the Authority", for the purpose of establishing, maintaining and operating such civic center; to provide that the Authority shall be governed by a Board of Directors of five members; to provide that one of the members of said Board shall be the Mayor or chief executive officer of the largest municipality in the County, that one of the members of the Board shall be the President or Chairman of the governing body of the County, that two of the members of the said Board shall be elected by the members of the House of Representatives from the County and the Senator or Senators in which the County is situated, and that the four members of the Board designated or elected as hereinabove provided shall elect the fifth member of the Board; that, if there shall be a branch court house in the County, one of the Members of the Board shall be a resident of the area served by such branch court house; to provide that the Board of Directors shall elect the Chairman of the Board; to provide for an alternative method of filling any directorship which is required to be filled by an election in the manner above provided and which is not filled in that manner; to provide that the affairs of the Authority shall be managed and controlled by said Board of Directors; to define the powers of the Authority and of the Board of Directors; to confer upon the Authority the power of eminent domain; to authorize the Authority to construct, maintain, control, operate and manage a civic center in the municipality wherein the county seat of the County is situated; to authorize the Authority to construct, maintain, control, operate and manage the following to be situated in the civic center: (1) buildings to provide offices used by the State of Alabama or by any agency, subdivision or public corporation thereof or by the County or by one or more municipalities thereof for any municipal purpose otherwise authorized by law; (2) buildings to house or accommodate public facilities of the State of Alabama or of any agency, subdivision or public corporation thereof or of the County or of any one or more of said municipalities for any municipal purpose otherwise authorized by law; (3) streets, boulevards, walkways, parkways and parks; (4) monuments, statues and other structures beautifying the civic center; (5) community houses or meeting houses and auditoriums, arenas, convention halls and convention sites; and (6) music halls, art museums, places of recreation, art exhibits and other exhibits for the advancement of the humanities and the cultural development and edification of the citizens of the County and of the municipalities located therein; to authorize the County and

any municipality thereof to lease, sell, donate or otherwise convey to the Authority real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of the County or of the municipality, provided the governing body of the County, or the municipality, as the case may be, shall first determine that such lease, sale, donation, conveyance or appropriation will benefit the people of the County, or the municipality, or as the case may be; to authorize the Authority to borrow money and to issue revenue bonds as evidence of money so borrowed, which bonds shall be payable solely from taxes payable to the Authority by any act of the Legislature heretofore or hereafter adopted and from revenues of the Authority derived from the activities, operation and enterprises in which the Authority is authorized to engage; to authorize the Authority to mortgage its property to secure the payment of the principal and interest due on said bonds; to authorize the Authority to execute such contracts and other instruments as the Authority deems necessary to secure payment of the principal and interest due on said bonds; and to repeal all laws, whether general, special or local, inconsistent with the provisions of this act.

Mr. Taylor, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hester et al (with substitute):

H. 439. To authorize and make provision for the incorporation of Municipal Parking Authorities as public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating facilities for parking motor vehicles, and related facilities, including offices for each such Authority, and leasing or letting such buildings, structures or facilities; to provide that in order for any such Authority to be organized, application must be made to the governing body of the city or town in Alabama within the municipal boundaries of which the Authority is to do business, and permission for organization of such Authority must be obtained from the governing body to which application is made; to provide for the selection of the directors and officers of each such Authority; to specify the powers of each such Authority; to endow each such Authority with eminent domain powers; to provide that laws, ordinances and regulations relating to the advertising and award of construction or purchase contracts which are applicable to the city or town authorizing the establishment of the Authority shall also be applicable to each such Authority; to provide that any city or town of this State which authorizes establishment of such an Authority may aid and cooperate with such Authority in the planning, undertaking, acquisition, construction and operation of parking facilities and may lend, give, donate, sell, convey or transfer to any such Authority money, property or any right capable of transfer; to authorize the issuance by each such Authority of interest bearing revenue bonds payable solely out of the revenues of the Authority issuing such bonds; to specify provisions of such revenue bonds issued by any such Authority and to provide that such revenue bonds shall be deemed negotiable instruments; to provide that such revenue bonds issued by any such Authority may be secured by pledge of any of the revenues of the Authority issuing such bonds, whether the Authority's right to such revenues then exists or may thereafter come into existence and by mortgage on any property of any such Authority whether then in existence or thereafter acquired; to provide that such pledge may be provided for in an indenture between the Authority issuing such bonds and a trustee or by resolution providing for the issuance of the bonds; to provide that such pledge shall be valid and binding when made and effective against third parties without notice from the time a statement

thereof is filed in the office of the judge of probate of the county in which the principal office of the Authority is located; to provide that any such Authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing evidence of indebtedness; to provide that bonds issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the State or of any political subdivision thereof; to specify the uses to which the proceeds of revenue bonds issued by any such Authority may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by any such Authority and the income therefrom and the property and income of any said Authority; to authorize the investment of any idle funds of any county, city or town within this State in bonds issued by any such Authority; to provide that bonds issued by any such Authority shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by any such Authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same, and to provide for the dissolution of any such Authority and the disposition of its property.

Mr. Taylor, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cook:

H. 1080. To amend further Section 1 of Act No. 493 adopted at the 1955 Regular Session of the Legislature of Alabama as the same has been previously amended, relating to municipal public building authorities.

By Mr. Owen:

H. 902. To amend Section 521 of Title 37 of the Code of Alabama of 1940 so as to provide that a municipality need not advertise for bids from contractors, pursuant to the requirements of that section, with respect to construction to be performed, or labor, materials and services, or any of them, to be furnished, by the State of Alabama pursuant to contract between the said municipality and the state.

By Mr. McCorquodale:

H. 362. Relating to municipal corporations; to authorize municipalities to protect, maintain and care for ancient cemeteries or burial grounds, to grant permits for burial therein, and to define "ancient cemetery or burial ground."

Mr. Shelton, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turner (Crenshaw) et al:

H. 55. To amend the Code of Alabama 1940, Title 22, Section 3 and Section 7 relating to a quorum for the State Board of Health and the State Committee of Public Health.

By Mr. Turner (Crenshaw) et al:

H. 56. To amend the Code of Alabama 1940, Title 46, Section 258, relating to the authority of the Board of Medical Examiners.

By Messrs. Teel and Stembridge:

H. 294. To amend Act No. 189, H. 232, Special Session 1961 (Acts 1961, p. 2159), which regulates the possession, dispensing, handling, sales, and distribution of amphetamines, and/or other stimulating drugs, so as to prescribe further penalties for violations thereof.

By Messrs. Hawkins and Collins (Jefferson):

H. 619. To amend Section 13 of Act No. 252 of the 1955 Regular Session of the Legislature of Alabama, Approved August 18, 1955.

By Mr. Cates:

H. 696. To amend Act No. 209, Acts of Alabama, Special Session 1964, p. 279 regarding qualifications and registration of sanitarians, and regarding use of funds.

By Mr. Locke et al:

H. 1081. To set controls of Lysergic Acid Diethylamide (LSD-25), Psilocybin or any other drug or compound known as Psycotomimetics; or any similar drug which produces on ingestion an hallucinatory effect, or induces a schizophrenic psychoses; and to set the penalties therefor.

Mr. Shelton, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Camp and Bevill (with substitute):

H. 699. Relating to the public health; providing for the merging of Alabama State Hospitals, Partlow State School and Hospital, the Commission on Alcoholism, and the Division of Mental Hygiene of the State Board of Health; naming the new corporation the Alabama Mental Health Board; authorizing it to coordinate all operations and activities of the State related to mental health; creating a board of trustees for the new corporation and providing for its duties, powers, and authority; prescribing penalties for certain violations; providing for a State Mental Health Officer and prescribing his duties; providing for court review of final decisions of the Alabama Mental Health Board; providing for transfer of patients and records between elements of services; prescribing a report to the Governor and the Legislature; providing for budgetary support; and repealing laws in conflict herewith.

Mr. Shelton, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Callahan, Campbell (Tuscaloosa), Brown (Tuscaloosa) and Camp:

H. 740. To amend Section 552 of Title 51 of the Code of Alabama of 1940, as last amended.

By Mr. Turner (Limestone):

H. 1134. To amend Section 16 of Act No. 107, SB 2, passed by the 1965 Special Session of the Legislature of Alabama, so as to preserve the right of the State Board of Health to approve the source of water furnished by incorporated water authorities.

Mr. Reynolds, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Owen:

H. 979. To arrange and designate the boundaries of Baldwin County and repeal conflicting laws.

By Messrs. Baker (Madison), Pennington and Reynolds:

H. 118. To authorize county governing bodies to expend funds to furnish space, equipment, supplies and clerical assistance for boards of registrars, and validating and confirming like expenditures heretofore made.

Mr. Hawkins, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite (with notice and proof):

H. 297. Relating to Marion County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Marion County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

By Mr. Fite (with notice and proof):

H. 298. To make an appropriation from the Marion County treasury for the relief of L. C. Wilson.

By Mr. Fite:

H. 448. To propose an amendment to the Constitution of Alabama authorizing any municipality in Marion County that has issued or may hereafter issue securities pursuant to the amendment to the constitution proposed by Act No. 1 enacted at the Second Special Session of 1950 of the Legislature of Alabama to issue refunding securities, to invest (under certain conditions) the proceeds from the sale of such securities pending need therefor in certain specified investments, to issue securities for the combined purpose of refunding other such securities and of acquiring, constructing, extending or improving industrial or manufacturing plants or properties, to pledge certain revenues and taxes for payment of any such securities and to mortgage certain properties as security therefor; to provide that any securities issued by a municipality pursuant to said amendment may be general obligations of such municipality or may be limited as to the source of their payment; to provide that revenue bonds issued by a municipality under the provisions of such amendment shall not be considered indebtedness of such municipality for certain constitutional debt limit purposes; to specify and provide a limit upon the amount of indebtedness, other than that evidenced by revenue securities, that a municipality may incur under the provisions of said amendment; to specify that certain securities for which payment has been provided in a certain specified manner shall not be considered indebtedness of such municipality for certain constitutional debt limit purposes; to require an election in any such municipality as a condition precedent to its exercise of powers thereunder, except that if a majority of those voting

in any such municipality on the question of the adoption of said amendment vote in favor thereof no further election in such municipality shall be required; and to grant to the Legislature the power to adopt laws in furtherance of the purposes of said amendment, notwithstanding any contrary provisions of Section 104 of the Constitution of Alabama.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Fite:

H. 1066. Relating to counties having populations of not less than 21,000 nor more than 21,850, according to the last or any succeeding federal decennial census, providing for a secretary-stenographer for the Courts of such counties, prescribing the means of appointment, the duties and compensation therefor.

By Mr. Fite:

H. 391. To amend Section 11 of Act 278, of the First Extraordinary Session of 1965 (H. B. 182 First Extraordinary Session 1965), to provide for a scholarship program for medical education.

By Mr. Givhan:

S. 474. Relating to state depositories; providing for certain lending agencies and institutions to qualify for deposits of public funds.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carter:

S. 508. To provide funds for annual scholarships at certain state institutions of higher learning.

By Mr. Moore:

H. 203. To redivide the State into judicial circuits so as to create the Thirty-fifth Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit.

By Messrs. Goodwyn and Turner (Crenshaw):

H. 326. To amend Sections 1, 3, 4, 7, 10, 11, 12, 13 and 16 of Act No. 674 of the 1961 Regular Session of the Alabama Legislature, approved September 8, 1961 (Acts of Alabama 1961, Volume I, Page 925 et seq.).

By Mr. Fite:

H. 402. To fix the compensation of certain State Officers.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owen (with amendment):

H. 848. To amend Section 2 of Act No. 545, Acts of Alabama 1963, Volume 2, page 1162, entitled "An Act To appropriate to the Department

of Conservation, Division of State Parks, Monuments and Historical Sites, the sum of One Hundred Fifty Thousand Dollars or so much thereof as may be necessary for the purpose of paying such sums as may be ordered by the Federal Court in settlement of equities in the litigation concerning the Gulf State Park properties, and further for the purchase of a motel and certain lands adjacent thereto located within Gulf State Park in Baldwin County, Alabama, and further authorize the Director of Conservation to make such purchase from the Small Business Administration, an agency of the United States Government."

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:

H. 892. To provide for creation and establishment of a state commission on intergovernmental cooperation, providing for the appointment, qualifications and tenure of the members and officers of such commission, and making an appropriation for its use.

By Mr. Cantrell et al:

H. 984. To make an appropriation from the State General Fund for the operation and maintenance of the Helen Keller Home at Tuscumbia.

By Messrs. Bolton and Camp:

H. 1157. To provide for purchasing and furnishing state-owned textbooks for classes and schools operated by the Alabama Institute for Deaf and Blind.

By Mr. Fite:

H. 127. To amend Section 4 of Act No. 1, 1945 General Acts of Alabama, Page 1, Approved May 22, 1945, as Amended by Act No. 671, 1949 General Acts of Alabama, Page 1033, Approved September 19, 1949, which relates to the State Oil and Gas Supervisor.

By Mr. Carr:

H. 131. To provide that the fair market value of State lands must be ascertained before the sale thereof and providing certain exceptions.

By Messrs. Baker (DeKalb), Hannah and Boston:

H. 1170. Relating to school finance; prescribing the basis for calculating allotments for teachers' salaries under the minimum school program.

By Mr. Engel et al:

H. 140. To authorize and provide for carrying out the October 29, 1963, action of the State Board of Education to develop the Alabama State College Center at Mobile into a junior college to be operated separate and apart from the Alabama State College as soon as legislative appropriations are met for such junior colleges including said Mobile Junior College in the annual appropriation for junior colleges under the State Board of Education or by any specific appropriation made for said Mobile Junior College for the fiscal years ending September 30, 1966, and September 30, 1967, said appropriation or allocation thereof to be provided for the maintenance, operation, and administration of such college.

MOTION TO RECALL

Mr. Cooper moved that the Senate recall from the House for further consideration the Bill, S. B. 210.

On motion of Mr. Smith, the motion to recall was laid on the table.

Yeas 13; Nays 11.

Yeas:

Messrs.:	Eddins	Hawkins	Montgomery
Adams	Evans	Horton	Roberts
Bentley	Gilchrist	McCain	Smith
Dumas	Givhan		

—13

Nays:

Messrs.:	Cooper	Lolley	Robison (Pickens)
Allen	Hornsby	McDow	Taylor
Carter	James	Oden	Wilson

—11

RESOLUTIONS

Mr. McDow offered the following Senate Joint Resolution, to-wit:

S. J. R. 58. WHEREAS Dr. Jean Clark Browne who with her husband, Dr. W. C. Browne, had practiced medicine in Shelby County since 1946, passed away on July 29; and

WHEREAS Dr. Clark, as she was known professionally, was a highly respected member of numerous medical associations and academies, was secretary-treasurer and past president of the Shelby County Medical Society, was an active and valued member of the civic and cultural life of Shelby County, and recently served in "The Doctor For A Day" program with the current session of this Legislature where she made many friends who mourn her loss; and

WHEREAS Dr. Browne is survived by her husband; two sons, William Craig Browne, Jr. and Clark Browne; a daughter, Miss Majorie Browne of Birmingham; her father, Mr. Vern Clark of Enola, Iowa; five brothers; two sisters; and a grandson; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply regrets the death of Dr. Jean Clark Browne and extends its deepest sympathy to the surviving members of her family.

RESOLVED FURTHER that copies of this resolution shall be sent to the members of the doctor's immediate family.

On motion of Mr. McDow, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Shelton offered the following Senate Joint Resolution, to-wit:

S. J. R. 59. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of the untiring efforts and devotion of Governor George C. Wallace in the promotion and progress of extensive highway construction during his term of office, that the portion of U. S. Highway No. 431 lying within the boundaries of Calhoun County is hereby designated and shall be known as the "George C. Wallace Highway".

BE IT FURTHER RESOLVED, That the State Highway Department is authorized and directed to cause to be erected and maintained appropriate signs or markers along said highway, and particularly along that segment of the highway between Anniston and the Etowah County line, which signs shall indicate that such highway is "The George C. Wallace Highway".

On motion of Mr. Shelton, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Hammond offered the following Senate Joint Resolution, to-wit:

S. J. R. 60. WHEREAS, The State of Alabama is constantly striving to further economic development and to accomplish such purpose it becomes increasingly evident that public education is desirable to acquaint small businessmen with the sources of technical and financial assistance available to them both from governmental and private lending agencies; and

WHEREAS, public education through the medium of Seminars is an acceptable and successful manner in which to disseminate information; and

WHEREAS, there will be a Seminar on ECONOMIC POTENTIAL IN ALABAMA, at the Mobile Municipal Auditorium, Mobile, Alabama, on Friday, September 24, 1965, co-sponsored by: The Alabama League of Municipalities; The State Planning and Industrial Development Board; The Alabama Association of County Commissioners; The Alabama Bankers Association; The Alabama State Bar Association; The Mobile Chapter of The Federal Bar Association; The Alabama Society of Certified Public Accountants; Associated Industries of Alabama; The State Small Business Advisory Council; SMALL BUSINESS ADMINISTRATION; and The Mobile Area Chamber of Commerce; and

WHEREAS, the program at such Seminar will be presented by eminently qualified representatives of the SMALL BUSINESS ADMINISTRATION, joined by participating representatives of Housing and Home Finance Agency; Farmers Home Administration; Urban Renewal Administration; and, Area Redevelopment Administration; and

WHEREAS, practical application of the information afforded by such Seminar can serve to revitalize the industrial economy of this State and make the aspiration of the State of Alabama for a fundamentally sound economic development, a tangible realization; NOW THEREFORE,

BE IT RESOLVED, THAT:

The House of Representatives and the Senate of the State of Alabama, jointly and severally do hereby endorse and recommend the proposed Seminar on ECONOMIC POTENTIAL IN ALABAMA, and urge its attendance by small business men, attorneys, bankers, accountants, Planning and Industrial Development groups, and other interested business and professional persons throughout the State.

On motion of Mr. Hammond, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 912. To amend Sections 207, 208, and 218, of Title 22 and to add Section 207(1) to Title 22 of the Code of Alabama of 1940, as amended, relating to Milk Control Board.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Hornsby	Montgomery
Adams	Dumas	Horton	Oden
Allen	Eddins	James	Reynolds
Bentley	Evans	Lolley	Roberts
Brannan	Gilchrist	Lowe	Robison (Pickens)
Carter	Hammond	Mathews	Shelton
Clark	Hawkins	McDow	Taylor

—27

Nays:

—0

The Bill:

H. 53. To provide for and regulate salaries payable to officers and employees of the State Board of Health, amending Code of Alabama 1940, Title 22, Section 9, and repealing laws in conflict therewith.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Hornsby	Oden
Adams	Dumas	James	Reynolds
Allen	Eddins	Lowe	Roberts
Bentley	Evans	Mathews	Robison (Pickens)
Brannan	Gilchrist	McCain	Shelton
Carter	Hammond	McDow	Taylor
Clark	Hawkins	Montgomery	Wilson

—27

Nays:

—0

The Bill:

S. 435. Relating to irrigation and water conservation; providing for the incorporation of an agency as a public body corporate and instrumentality of the state for the promotion and development of one or more irrigation districts in the Sand Mountain area; prescribing its authority, powers, duties, functions, and management, authorizing the agency to issue bonds, and the counties and municipalities within the irrigation district or districts to contribute funds and levy taxes for its use.

was taken up.

Mr. Hammond offered the following amendment to the Bill, S. B. 435, to-wit:

AMENDMENT TO S. B. 435:

In the caption, strike out the words "Sand Mountain area" and insert "State of Alabama."

Also, in Sections 1 and 2 of the bill, strike out the words "Sand Mountain area" and insert "State of Alabama."

Also, in Section 5, add at the end of item 1, after the words "bonded indebtedness" the following:

"or for repayment to the United States Government the costs of the project when built and constructed with federal funds."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Oden	
Adams	Eddins	James	Reynolds	
Allen	Evans	Lowe	Roberts	
Bentley	Gilchrist	Mathews	Robison (Pickens)	
Brannan	Hammond	McCain	Smith	
Carter	Hawkins	McDow	Taylor	
Cooper	Hornsby	Montgomery	Wilson	—27

Nays:

—0

And said Bill, S. B. 435, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Horton	Reynolds	
Adams	Evans	James	Roberts	
Allen	Gilchrist	Lowe	Robison (Pickens)	
Bentley	Givhan	McCain	Smith	
Brannan	Hammond	McDow	Taylor	
Carter	Hawkins	Montgomery	Wilson	
Cooper	Hornsby	Oden		—26

Nays:

—0

The Bill:

S. 436. To create the office of director of irrigation in the state department of conservation; providing for the qualifications, appointment, term, duties, and compensation of such director.

was taken up.

Mr. Hammond offered the following amendment to the Bill, S. B. 436, to-wit:

AMENDMENT TO S. B. 436:

In Section 1, insert in the blank in the last sentence the figures "12,000".

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	James	Reynolds	
Adams	Eddins	Lolley	Roberts	
Allen	Gilchrist	Lowe	Smith	
Bentley	Hammond	McCain	Taylor	
Brannan	Hornsby	Montgomery	Wilson	
Carter	Horton			—21

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	James	Oden
Adams	Evans	Lolley	Roberts
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Hammond	McCain	Smith
Brannan	Hornsby	McDow	Taylor
Cooper	Horton	Montgomery	Wilson

—23

Nays:

—0

The Bill:

S. 434. Proposing an amendment to the Constitution of Alabama relative to the development of one or more irrigation districts and water conservation in the Sand Mountain area.

was taken up.

Mr. Hammond offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. 434:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama relative to the development of one or more irrigation districts and water conservation in the State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

PROPOSED AMENDMENT

The legislature may by general, special or local laws authorize the formation of a body corporate for the development of one or more irrigation districts for the purposes of providing irrigation and water conservation in the State of Alabama, and may authorize the counties and municipalities lying within the boundaries of such district or districts to contribute public funds to such body corporate, and may authorize such body corporate to enter into contract with the government of the United States or any agency thereof, and with other States or political subdivisions thereof, and with other bodies corporate organized within this or other states for the development of one or more irrigation districts in the State of Alabama, and may authorize such body corporate to issue revenue bonds payable solely out of revenues accruing to such body corporate, and may authorize such body corporate to do and perform all other such acts necessary and proper for the full development of said Alabama irrigation district or districts provided, however, nothing herein shall authorize any such public corporation to engage in or finance, directly or indirectly, the production, transmission or sale of electric power.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Section 284, and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Lowe	Roberts	
Adams	Hammond	Mathews	Robison (Pickens)	
Allen	Hawkins	McDow	Smith	
Brannan	Hornsby	Montgomery	Taylor	
Cooper	James	Oden	Wilson	
Eddins	Lolley			—21

Nays: —0

And said Bill, S. B. 434, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Robison (Pickens)	
Adams	Givhan	McDow	Shelton	
Allen	Hammond	Montgomery	Smith	
Bentley	Hornsby	Oden	Taylor	
Brannan	James	Roberts	Wilson	
Cooper	Lolley			—21

Nays: —0

The Bill:

S. 572. To amend further Section 1 (j), Act No. 100, Second Special Session, Legislature of 1959, to provide for an alternative method of payment of sales tax on earth moving and construction equipment.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 20; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts	
Adams	Givhan	Mathews	Robison (Pickens)	
Bentley	Hammond	McCain	Smith	
Brannan	Hornsby	McDow	Taylor	
Cooper	James	Montgomery	Wilson	
Dumas				—20

Nays: —0

The Bill:

S. 303. Relating to counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain functions and duties from the judge of probate to the tax collector; relieving the judge of probate of such duties; providing for the payment of all fees for such duties to the county treasurer or county depository to the credit of the general fund of such county and the payment of additional compensation to the tax collector for the performance of the additional duties and the additional responsibilities imposed by this act, effective with the next term of any such tax collector; and repealing conflicting laws.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

Amendment to S. B. 303:

S. B. 303 is hereby amended by striking out the figures "\$3000" and "\$250" where such figures appear in the last sentence of Section 2 and inserting in lieu thereof the figures "2400" and "\$200" respectively.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds	
Allen	Hammond	Mathews	Shelton	
Bentley	Hawkins	McCain	Smith	
Brannan	Hornsby	McDow	Taylor	
Carter	Horton	Montgomery	Tyson	
Clark	James	Oden	Wilson	
Dumas	Lolley			—25

Nays:

—0

And said Bill, S. B. 303, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds	
Allen	Hammond	Mathews	Shelton	
Bentley	Hawkins	McCain	Smith	
Brannan	Hornsby	McDow	Taylor	
Carter	Horton	Montgomery	Tyson	
Clark	James	Oden	Wilson	
Dumas	Lolley			—25

Nays:

—0

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Taylor, further consideration of the Bill, S. B. 404, was postponed until the Thirty-Sixth Legislative Day.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Dumas, further consideration of the Bills, S. B. 311 and S. B. 346, was indefinitely postponed by the Senate.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 33. To amend Section 3 of Act No. 122, H. 201, approved June 27, 1927 (Local Acts 1927, p. 41), an act establishing a Board of Commissioners of Choctaw County, so as to provide for the election of the members of such board by the county at large.

Also:

S. 449. To amend Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide for an expense allowance for the resident engineer in charge of county roads.

Also:

S. 477. To amend Sections 2 and 4 of Act No. 228, S266, Regular Session 1963, an act establishing the court of county commissioners of Blount County.

Also:

S. J. R. 52. Designating S. B. 68 "The Lolley, Nichols and Nabors Bill."

Also:

S. J. R. 53. Relating to the Choctaw County General Hospital.

Also:

S. J. R. 54. Mourning the death of Mr. Arthur Curtis Branyon.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 26. To require railroads to install and maintain flashing electric signals, bells, or other similar warning devices at intersections of their tracks with certain county roads in Conecuh County, and to prescribe penalties.

Also:

S. 27. To require railroads to install and maintain flashing electric signals, bells, or other similar warning devices at intersections of their tracks with certain county roads in Butler County, and to prescribe penalties.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. James:

S. 612. Relating to Bibb County, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama,
County of Bibb

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman and each member of the county board of equalization of Bibb County shall be entitled to \$15.00 a day for each day's service as provided by law. Of this, \$10.00 a day shall be paid from the general funds of the county; and the remainder shall be paid as provided in Code of Alabama 1940, Title 51, Sections 94 and 95, as amended.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 22-29 - Aug. 5-12-chg.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the CENTREVILLE PRESS, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1965.

J. W. OAKLEY, SR.

Sworn to and subscribed before me August 12, 1962.

MARTHA LOURMA,
Notary Public.

BILLS ON THIRD READING RESUMED

The Bill:

S. 575. To alter and rearrange the boundaries between the town of Glencoe and the city of Gadsden so as to detach certain territory from the town of Glencoe and annex the same to the city of Gadsden.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts
Allen	Evans	McCain	Shelton
Bentley	Gilchrist	McDow	Smith
Carter	Givhan	Montgomery	Taylor
Clark	Hawkins	Oden	Tyson
Cooper	Horton	Reynolds	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

S. 574. To alter and rearrange the boundaries and corporate limits of the Town of Glencoe, Alabama, so as to exclude and detach therefrom certain territory presently included in the corporate limits.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Carter	Givhan	McCain	Robison (Pickens)
Clark	Hammond	McDow	Smith
Cooper	Hawkins	Montgomery	Taylor
Dumas	Hornsby		—25

Nays:

—0

The Bill:

S. 578. Relating to Coffee County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Brannan	Gilchrist	McDow	Robison (Pickens)
Carter	Givhan	Montgomery	Shelton
Clark	Hawkins	Oden	Tyson
Cooper	Horton	Reynolds	Wilson
Dumas	Lolley		—25

Nays:

—0

The Bill:

S. 594. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having a population of not less than 96,000 nor more than 106,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Hawkins	McCain	Shelton
Allen	Hornsby	McDow	Smith
Bentley	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		—25

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Roberts, further consideration of the Bill, S. B. 576, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 584. To apply in counties having populations of not less than 57,000 nor more than 61,000; providing for payment of expense allowances for the solicitors of the county courts of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Hammond	McCain	Smith
Bentley	Hawkins	McDow	Taylor
Brannan	Hornsby	Montgomery	Tyson
Carter	James	Oden	Wilson
Clark	Lolley		

—25

Nays:

—0

The Bill:

S. 585. To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	James	Oden
Adams	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McCain	Robison (Pickens)
Cooper	Hawkins	McDow	Shelton
Dumas	Hornsby	Montgomery	Wilson
Eddins	Horton		

—25

Nays:

—0

The Bill:

S. 598. To provide for an action of ejectment to recover possession of real property in Walker County by a purchaser of such real property at a mortgage foreclosure sale or by one claiming under such purchaser, and to regulate the proceedings in such action.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Oden	Smith
Carter	James	Reynolds	Wilson
Clark	Lolley		

—25

Nays:

—0

The Bill:

S. 595. To apply only in Walker County: To authorize, provide for, and regulate the introduction in evidence in any court in such county, when the original thereof would be relevant and material, of certified copies of certain hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probative value of such records.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Horton	Reynolds
Adams	Dumas	Lowe	Roberts
Allen	Evans	Mathews	Smith
Bentley	Givhan	McCain	Taylor
Brannan	Hammond	Montgomery	Tyson
Carter	Hawkins	Oden	Wilson
Clark	Hornsby		

—25

Nays:

—0

The Bill:

S. 597. Relating to Walker County; to authorize the judge of probate of such county to try inquisitions of lunacy with or without a jury; and to provide that when a jury is demanded in such proceeding said jury shall be impaneled as is now provided for the trial of a will contest in the probate courts of this State.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lowe	Robison (Montgomery)
Brannan	Hammond	Mathews	Robison (Pickens)
Carter	Hawkins	McCain	Shelton
Clark	Hornsby	McDow	Smith
Cooper	Horton	Montgomery	Taylor
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

S. 596. Relating to Walker County; to provide further for probating uncontested wills in such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Shelton
Bentley	Givhan	McDow	Smith
Brannan	Horton	Montgomery	Tyson
Cooper	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

S. 593. Relating to the construction, maintenance and repair of the county roads and bridges of Colbert County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county, and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of all funds, including Colbert County's proportionate share of the state gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Brannan	Hawkins	McDow	Taylor
Clark	Horton	Montgomery	Tyson
Cooper	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

S. 600. To amend Act No. 379, H. 866, of the Regular Session of 1963, which relates to counties having populations of not less than 50,000 nor more than 54,000 and provides further for designation and alteration of election precincts and districts, voting places and voting centers therein and the conduct of elections: amending the Title and Sections 1, 2, 3, 4, and 9 of such act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Shelton
Clark	Hornsby	McDow	Smith
Cooper	Horton	Montgomery	Taylor
Dumas	James	Oden	Tyson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

S. 583. Relating to counties having a population of not less than 57,000 nor more than 61,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Roberts
Adams	Evans	McCain	Robison (Montgomery)
Allen	Gilchrist	McDow	Robison (Pickens)
Bentley	Hawkins	Montgomery	Taylor
Brannan	Hornsby	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Dumas	Lowe		

—25

Nays:

—0

RECESS

At 12:55 P. M., on motion of Mr. Carter, the Senate took a recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION**THIRTY-THIRD LEGISLATIVE DAY**

FRIDAY, AUGUST 13, 1965

The Senate re-assembled at 1:30 P. M., Lieutenant Governor Allen presiding.

ROLL CALL**Present:**

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Oden	Tyson
Cooper	Horton	Reynolds	Wilson
Dumas	James		

—33

MESSAGE FROM THE HOUSE**Mr. President:**

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 825. To alter, re-arrange, and extend the boundaries of the Town of New Hope in Madison County.

Also:

H. 84. To amend Section 135 of Title 37, Code of Alabama 1940, as heretofore amended, relating to elections for extending the boundaries and annexation of territory to cities and towns.

Also:

H. 85. To amend Section 1 of Act No. 912 of the Regular Session of the Legislature of 1951, approved September 12, 1951, relating to the assessment of solicitors' fees as part of the cost of appeals of judgments rendered in municipal courts.

Also:

H. 92. To amend Act Number 663, Regular Session of the Legislature of Alabama 1961 (approved September 6, 1961), relating to the election of officers in cities and towns of this State, except cities and towns organized under a commission form of government.

Also:

H. 148. To amend Act No. 161 approved August 2, 1957, appearing on page 210, et seq. of the Acts of Alabama for the Regular Session of 1957, as amended.

Also:

H. 266. To redivide the State into judicial circuits so as to create the Thirty-fourth Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit.

Also:

H. 310. To authorize and provide for the pooling of their liabilities by employers under the workmen's compensation law for the purpose of becoming self-insurers under such law.

Also:

H. 471. To create and establish in Dallas County an inferior court, known as and called the Dallas County Court, in lieu of the Dallas County Court created by Act No. 194, H. 448, Regular Session 1957 (Acts 1957, p. 245); to define its powers, and jurisdiction, including the criminal jurisdiction heretofore conferred by law on the justices of the peace of Dallas County; to abolish the criminal jurisdiction of justices of the peace in said county; to provide for a judge and other officers of the Dallas County Court, and prescribe their powers, duties, tenure and compensation; to prescribe rules of procedure for the court; to provide for the execution of the process of the court and the operation thereof; to authorize and provide for the transfer of cases and causes from the Dallas County Court hereby abolished to the court hereby created; and to repeal conflicting laws.

Also:

H. 489. Relating to the conduct of elections; providing for designation of places by number in primary and general elections for members of the legislature, repealing conflicting laws.

Also:

H. 515. To create an additional judgeship for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judge.

Also:

H. 906. To authorize City Boards of Education in all counties having a population of not less than 76,000 and not more than 96,000 to enter into agreements with the appropriate federal agencies for the operation of schools located on federal military bases adjoining cities having City Boards of Education, and to operate said schools as if they were in a separate school district, pursuant to such agreements.

Also:

H. 932. To change the method of compensating certain officers of Madison County; placing such officers on a salary basis; providing for their assistants and the office equipment, supplies, services, and material necessary for conducting the business of their respective offices.

Also:

H. 360. To provide for an exemption from ad valorem taxation of certain agricultural products stored in licensed warehouses.

Also:

H. 413. To alter, rearrange and add to the limits of the Town of Satsuma, Alabama, and to describe the area added to the said limits of said Town.

Also:

H. 941. Relating to counties having populations of not less than 150,000 nor more than 400,000, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 944. Relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the microfilming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

Also:

H. 980. To change the method of compensating the sheriff of Bibb County, placing such officer on a salary basis, and providing for the operation of his office on such basis.

Also:

H. 982. To apply only in Bibb County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

H. 945. To create the office of commissioner of licenses in all counties in Alabama having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; to prescribe the powers, duties and authority of such commissioners; to provide for the appointment of the first commissioners and the election of their successors and for their terms of office; to provide for the compensation, quarters, supplies, equipment and assistants for such commissioners; to prescribe the oath of office and bond of commissioners and the bond of a deputy commissioner for each commissioner; to transfer to commissioners all the duties prescribed by the general law for judges of probate, tax assessors and tax collectors relative to motor vehicles and driver's licenses and the assessment and collection of ad valorem taxes on motor vehicles, and to relieve such officers respectively, of such duties; to transfer at a designated future time the duties of license inspectors for counties to which this Act applies to the commissioners and to abolish the office of license inspector for such counties; to prescribe fees, charges and commissions which must be charged and collected by commissioners for services rendered pursuant to this Act, to provide for the distribution thereof, and require certain reports relative thereto.

Also:

H. 986. Relating to counties having a population of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; to provide further for the selection of textbooks and instructional materials for use in the public schools in any such county.

Also:

H. 987. To alter, enlarge, re-arrange and extend the corporate limits of the City of Wetumpka in Elmore County, Alabama.

Also:

H. 988. To alter, rearrange, and extend the boundaries of the City of Opp, Covington County, Alabama.

Also:

H. 1008. To provide for the payment of per diem allowances to members of the board of registrars of Macon County from county funds.

Also:

H. 1010. For the relief of Ray Stone of Marshall County; authorizing and directing the governing body of Marshall County to make an appropriation of county funds to compensate Ray Stone for certain damages sustained by him.

Also:

H. 1011. For the relief of Bobby Joe King of Marshall County; authorizing and directing the governing body of Marshall County to make an appropriation of county funds to compensate Bobby Joe King for certain damages sustained by him.

Also:

H. 1012. To provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census.

Also:

H. 1028. To alter, re-arrange and extend the corporate limits of the Town of Beaverton, Lamar County, Alabama.

Also:

H. 934. To amend Act No. 294, H. 802, of the Regular Session of 1963 (Acts of 1963, p. 755), an act creating the Commission on Government and Finance of Marshall County, so as to regulate further the purchasing, handling, use and sale of county-owned property, the leasing, renting or hiring by the county of property, and the keeping of records relative thereto; and to prescribe penalties.

Also:

H. 472. Proposing an amendment to the Constitution relating to costs and charges of courts in Dallas County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request that the Senate return to the House for further consideration H. B. 1146.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Senate refused to accede to the request of the House for the return to the House of H. B. 1146.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 18. Relative to recognizing the contributions made to the State of Alabama by the Gulf States Paper Corporation.

JOHN W. PEMBERTON,
Clerk.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

The appointment of Honorable Cecil Word and Honorable Ed Dannelly as members of the State Board of Education.

On motion of Mr. Carter, the appointment of Mr. Word as a member of the State Board of Education was confirmed by the Senate.

On motion of Mr. Cooper, the appointment of Mr. Dannelly as a member of the State Board of Education was confirmed by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

The appointment of Mrs. Mary George Waite and Honorable James Record as members of the State Board of Pensions and Security.

On motion of Mr. Hawkins, the appointment of Mrs. Waite as a member of the State Board of Pensions and Security was confirmed by the Senate.

On motion of Mr. Roberts, the appointment of Mr. Record as a member of the State Board of Pensions and Security was confirmed by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

The appointment of Honorable William Mitch as a member of the Board of Corrections of Alabama.

On motion of Mr. Dumas, the appointment of Mr. Mitch as a member of the Board of Corrections of Alabama was confirmed by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor and ordered same returned to the Senate with a favorable report, to-wit:

The appointment of Honorable Thomas W. Cooley and Honorable T. Euclid Rains as members of the Board of Trustees of the Alabama Institute for Deaf and Blind.

On motion of Mr. Carter, the appointment of Mr. Cooley and Mr. Rains as members of the Board of Trustees of the Alabama Institute for Deaf and Blind was confirmed by the Senate.

BILLS ON THIRD READING

The Bill:

S. 592. To alter, rearrange and extend the boundaries and corporate limits of the town of Ethelsville in Pickens County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; nays 0.

Yeas:

Messrs.:
Brannan
Carter
Clark
Cooper
Dumas
Eddins

Givhan
Hammond
Hawkins
Hornsby
Horton
James
Lolley

Lowe
McCain
McDow
Montgomery
Oden
Reynolds

Roberts
Robison (Pickens)
Smith
Taylor
Tyson
Wilson

—25

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Civil Service Board of Tuscaloosa County.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 13, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Civil Service Board of Tuscaloosa County:

Dwight Dollar, Tuscaloosa—For the term expiring May 15, 1969

Charles M. Nelson, Northport—For the term expiring May 15, 1971

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Civil Service Board of the City of Tuscaloosa.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 13, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Civil Service Board of the City of Tuscaloosa:

Walter C. Etheridge, Tuscaloosa—For the term expiring May 15, 1971

Thurman Lee, Alberta City, Tuscaloosa—For the term expiring May 15, 1969

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the State Banking Board.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 13, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Mr. A. M. Grimsley, Jr., President of the First National Bank of Fayette, as a member of the State Banking Board, for the term expiring February 1, 1971.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Wilson, the Rules were suspended and the appointment of Honorable A. M. Grimsley, Jr. as a member of the State Banking Board was confirmed by the Senate, which said appointment is set out in the foregoing Message from the Governor.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Mathews, further consideration of the Bill, S. B. 156, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 485. To provide for the alteration or rearrangement of the boundary lines of the City of Fultondale, in Jefferson County, Alabama, so as to include within the corporate limits of said City of Fultondale,

the territory in said county now without the corporate limits of any city or town; commonly known as Darlene Estate Community, and described by metes and bounds as follows:

Commence at the SW corner of the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 19, Township 16, Range 2, said point being on the City Limits of Fultondale, and run North along the West line of Section 19 to the SW corner of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section; thence run East on the South line of said N $\frac{1}{2}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$ NW $\frac{1}{4}$, to the West line of NE $\frac{1}{4}$ NW $\frac{1}{4}$ of the Section; thence run North on the West line of said $\frac{1}{4}$ NW $\frac{1}{4}$ to its NW corner; thence run East on the North line of Section 19 to the NE corner of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section; thence run South on the East line of said W $\frac{1}{2}$ W $\frac{1}{2}$ to the South line NW $\frac{1}{4}$ NE $\frac{1}{4}$; thence run East on the South line of said $\frac{1}{4}$ NW $\frac{1}{4}$ Section 434 feet to the West Lot line of Lot 47, Newcastle No. 4; thence run southerly 222 feet along the West lot lines of Lots 46 and 47, Newcastle No. 4, to the SW corner of said Lot 46; thence Northwesterly 151.3 feet; thence Southwesterly 159.8 feet to the Northwest corner of Lot 43, Newcastle No. 4; thence Southerly along the West lot lines of Lots 25 through 39 and Lot 41 and Lot 43, Newcastle No. 4, to the Southwest corner of Part B. Lot 25, Newcastle No. 4, at Oak Street; thence run Westerly along the Right-of-way of Oak Street 256, more or less, to the NE corner of Lot 24, Newcastle No. 4; thence along the North line of said Lot 24 to its NW corner; thence Southwesterly along the West lot line of Lot 24 and Lot 21, Newcastle No. 4, to its intersection with the South line of N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 19, thence run West along the said South line of N $\frac{1}{2}$ of SW $\frac{1}{4}$, the present City Limits of Fultondale, to the point of beginning. Situated in Jefferson County, Alabama.

and to provide for an election as a part of the provisions for such alteration or rearrangement.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Shelton
Bentley	Hammond	Montgomery	Smith
Carter	Hawkins	Oden	Taylor
Clark	Hornsby	Reynolds	Tyson
Dumas	Lowe		

—25

Nays:

—0

The Bill:

H. 923. To create an inferior court for Franklin County in lieu of the county court, defining its jurisdiction, providing for its officers and prescribing their powers and duties, and abolishing the county court.

was taken up.

Mr. Oden offered the following amendment to the Bill, H. B. 923, to-wit:

Amendment to H. B. 923

In subsection (C) of Section 10, after the words "in each civil action" insert the words "and criminal case"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden	
Adams	Evans	Lowe	Shelton	
Allen	Gilchrist	Mathews	Smith	
Bentley	Givhan	McCain	Taylor	
Brannan	Hornsby	McDow	Tyson	
Cooper	Horton	Montgomery	Wilson	
Dumas	James			—25

Nays: —0

And said Bill, H. B. 923, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden	
Adams	Evans	Lowe	Shelton	
Allen	Gilchrist	Mathews	Smith	
Bentley	Givhan	McCain	Taylor	
Brannan	Hornsby	McDow	Tyson	
Cooper	Horton	Montgomery	Wilson	
Dumas	James			—25

Nays: —0

The Bill:

H. 926. To amend and extend the corporate limits of the Town of Vina, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Pickens)	
Adams	Gilchrist	McDow	Shelton	
Allen	Givhan	Montgomery	Smith	
Bentley	Hornsby	Oden	Taylor	
Brannan	Horton	Reynolds	Tyson	
Clark	James	Roberts	Wilson	
Dumas	Lowe			—25

Nays: —0

The Bill:

H. 801. To authorize the Director of Conservation to open a season in counties having a population of not less than 48,100 nor more than 49,700, for the hunting of female deer or unantlered male deer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Robison (Montgomery)
Adams	Hammond	Mathews	Shelton
Allen	Hawkins	McDow	Smith
Brannan	Hornsby	Montgomery	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 809. To authorize the Director of Conservation to open a season in counties having a population of not less than 32,500 nor more than 35,000, for the hunting of female deer or unantlered male deer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Robison (Montgomery)
Brannan	Hawkins	McCain	Robison (Pickens)
Carter	Hornsby	McDow	Smith
Clark	Horton	Oden	Taylor
Cooper	James	Reynolds	Tyson
Dumas	Lolley	Roberts	Wilson
Eddins	Lowe		

—25

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Montgomery, further consideration of the Bill, H. B. 995, was indefinitely postponed by the Senate.

On motion of Mr. Carter, further consideration of the Bill, H. B. 1013, was indefinitely postponed by the Senate.

On motion of Mr. Bentley, further consideration of the Bill, H. B. 983, was indefinitely postponed by the Senate.

On motion of Mr. Cooper, further consideration of the Bill, H. B. 1058, was indefinitely postponed by the Senate.

On motion of Mr. Allen, further consideration of the Bill, H. B. 960, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 946. To regulate further the compensation of clerical assistants of certain officers of counties having populations of not less than 19,000 nor more than 19,500.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	James	Reynolds
Adams	Eddins	Lowe	Roberts
Allen	Evans	McCain	Robison (Montgomery)
Bentley	Gilchrist	McDow	Robison (Pickens)
Carter	Givhan	Montgomery	Shelton
Clark	Hammond	Oden	Smith
Cooper	Hornsby		

—25

Nays:

—0

The Bill:

H. 474. To provide an expense supplement for the circuit solicitor of the Fourth Judicial Circuit of Alabama, payable from the solicitor's fund.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amendment to H. B. 474

Strike out all of Section 1 of the bill and substitute in lieu thereof the following:

"Section 1. In addition to the expense and allowances payable to the solicitor of the Fourth Judicial Circuit of Alabama by the State, he shall be entitled to an expense supplement of \$1,500 per annum, which shall be payable in equal monthly installments retroactive to February 1, 1965 from the contingent fund provided for by Act No. 308, S. 313, Regular Session 1953, as amended, upon requisitions signed by the solicitor and approved by at least one of the judges of the circuit. Provided, however, requisitions for such expense supplement shall not be approved, nor shall such supplement be paid out of the contingent fund when a deficit exists in the library fund of Dallas County or when said library fund is insufficient to defray the normal costs of operating the library.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Brannan	Givhan	McCain	Robison (Pickens)
Carter	Hawkins	McDow	Shelton
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Oden	Taylor
Dumas	James	Reynolds	Tyson
Eddins	Lowe		

—25

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Brannan	Givhan	McCain	Robison (Pickens)
Carter	Hawkins	McDow	Shelton
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Oden	Taylor
Dumas	James	Reynolds	Tyson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 473. To authorize the solicitor of the Fourth Judicial Circuit of Alabama to appoint and employ a secretary, whose compensation shall be payable from the circuit solicitor's fund.

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the Bill, to-wit:

Substitute for H. B. 473

A BILL TO BE ENTITLED AN ACT

To authorize and provide for stenographic service to the judges of the Fourth Judicial Circuit, the solicitor of such circuit and the judge of the Dallas County Court; to provide for the employment of a stenographer to furnish such service whose compensation shall be payable from the circuit court's contingent fund.

Be It Enacted by the Legislature of Alabama:

Section 1. The judges of the Fourth Judicial Circuit, the solicitor of such circuit, and the judge of the Dallas County Court, acting as the appointing authority, may employ, and at their pleasure discharge, a stenographer to furnish stenographic service to the judges and the solicitor of the Fourth Judicial Circuit and to the judge of the Dallas County Court in their official capacities. Such stenographer shall reside in Dallas County, be provided an office in the Dallas County Courthouse, and shall perform stenographic services for such judges and solicitor only in Dallas County. The stenographer shall be employed for such hours of work and shall receive a salary in such amount, not to exceed \$300 per month, as the appointing authority determines. The stenographer's salary shall be paid from the contingent fund created by Act No. 308, S. 313 of the Regular Session of 1953 (Acts 1953, p. 366) by checks drawn by at least one of the judges of the circuit court. Provided, however, the salary of the stenographer shall not be paid from such fund when there is a deficit in the library fund of Dallas County or when the library fund is insufficient to defray the normal costs of operating the library.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts	
Allen	Givhan	Mathews	Robison	(Montgomery)
Bentley	Hammond	McCain	Robison	(Pickens)
Brannan	Hornsby	Montgomery	Taylor	
Clark	Horton	Oden	Tyson	
Cooper	James	Reynolds	Wilson	
Dumas	Lolley			—25

Nays: —0

And said Bill, H. B. 473, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts	
Allen	Givhan	Mathews	Robison	(Montgomery)
Bentley	Hammond	McCain	Robison	(Pickens)
Brannan	Hornsby	Montgomery	Taylor	
Clark	Horton	Oden	Tyson	
Cooper	James	Reynolds	Wilson	
Dumas	Lolley			—25

Nays: —0

The Bill:

H. 461. To apply in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing expense allowances for coroners of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts	
Adams	Evans	Mathews	Robison	(Montgomery)
Allen	Gilchrist	McCain	Shelton	
Bentley	Givhan	McDow	Taylor	
Brannan	Hammond	Oden	Tyson	
Clark	James	Reynolds	Wilson	
Dumas	Lolley			—25

Nays: —0

The Bill:

H. 1045. Relating to Geneva County; to withdraw and take away criminal and quasi-criminal jurisdiction from justices of the peace and notaries public ex officio justices of the peace.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Allen	Hammond	Mathews	Roberts
Bentley	Hawkins	McCain	Robison (Montgomery)
Brannan	Hornsby	McDow	Robison (Pickens)
Carter	Horton	Montgomery	Smith
Cooper	James	Oden	Tyson
Eddins	Lolley		—25

Nays: —0

The Bill:

H. 359. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the solicitor of the Nineteenth Judicial Circuit, to be drawn upon by the circuit solicitor of the Nineteenth Judicial Circuit, and to provide that the solicitor's fees taxed in all criminal proceedings in the circuit court of Elmore, Autauga, and Chilton Counties be paid into such fund for such purpose.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Roberts
Allen	Evans	Mathews	Robison (Montgomery)
Bentley	Gilchrist	McDow	Robison (Pickens)
Carter	Hornsby	Montgomery	Tyson
Clark	Horton	Oden	Wilson
Cooper	James		—25

Nays: —0

The Bill:

S. 581. For the relief of MRS. EMMA J. BRAY authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by MRS. BRAY on the Courthouse premises.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Montgomery	Tyson
Dumas	Hornsby		—25

Nays: —0

The Bill:

H. 998. Relating to Jackson County; levying a license tax on persons and others engaged in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

was taken up.

Mr. Carter offered the following amendment to the Bill, to-wit:

Amendment to Section 10 of H. B. 998

Section 10 of H. B. 998 is amended to read as follows:

"Section 10. The State Department of Revenue shall charge Jackson County for collecting the special taxes levied by this act the cost of collecting such tax, but such charge shall not, in any event, exceed (10%) ten per cent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes shall be deducted once each month from the special sales and special use taxes collected before certifying the amount of special sales and special use taxes due Jackson County for that month. The Commissioner of Revenue shall pay into the State Treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Jackson County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public funds of Jackson County Board of Education in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public funds

for Jackson County Board of Education shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other county funds, and shall maintain separate records of such special account. The net revenue derived by Jackson County from the taxes levied in this Act shall be used exclusively for educational purposes within the county; provided, however, that such revenue shall not be used for the payment of salaries for teachers."

Also, strike out Section 14 of the bill and insert in lieu thereof the following:

Section 14. The tax provided for herein shall not be levied or collected within the corporate limits of any city or town in Jackson County that operates its own school system separate from the Jackson County Board of Education, but such municipality shall not share in the proceeds of this tax. Also, the tax provided for in this Act shall not be levied, imposed, or collected in any municipality in Jackson County which before the effective date of this Act levied a like municipal sales tax or license tax based on gross receipts derived from sales or gross proceeds of sales; however, this provision shall not preclude such municipality from sharing in the proceeds of the county taxes levied in this Act.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Mathews	Robison (Pickens)
Adams	Hammond	McCain	Shelton
Allen	Hawkins	McDow	Smith
Carter	Hornsby	Montgomery	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

And said Bill, H. B. 998, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Mathews	Robison (Pickens)
Adams	Hammond	McCain	Shelton
Allen	Hawkins	McDow	Smith
Carter	Hornsby	Oden	Taylor
Cooper	Horton	Reynolds	Tyson
Dumas	James	Roberts	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1057. To provide for the establishment of a retirement system for employees and officers of Jefferson County, Alabama, and for the Circuit Solicitor in said County, the Solicitor of the Juvenile and Domestic Relations Court of said County, the Solicitor of the Jefferson County Criminal Court and any deputy appointed by said Circuit solicitor; to

provide for the abolition of the retirement systems established by Act No. 551 of the Legislature of Alabama of 1953, (Ala. Acts, 1953, pages 766, et seq.), and by Act No. 843 of the Legislature of Alabama of 1961, (Ala. Acts, 1961, pages 1250 et seq.); to transfer the assets of the pension systems abolished as aforesaid to the retirement system established by this act; to provide that all members of the abolished systems shall be members of the retirement system hereby established which shall be liable for all obligations of the abolished systems; to provide that the retirement system established by this act shall be financed by contributions of said employees and officers and said County to the pension fund; to provide for the administration of the said retirement system by a Pension Board; and to authorize, but not require, the Pension Board to purchase annuity contracts, or policies, to assure payment of benefits accruing in favor of members of either of the two abolished retirement systems.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Shelton
Allen	Givhan	McDow	Smith
Bentley	Hornsby	Montgomery	Taylor
Carter	James	Oden	Tyson
Clark	Lolley	Roberts	Wilson
Dumas	Lowe		

—25

Nays:

—0

The Bill:

H. 1064. To amend further Section 1, Act No. 501, S. 399, Regular Session 1957, an act regulating the compensation of the judge of probate of Madison County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Roberts
Brannan	Hammond	Mathews	Robison (Pickens)
Carter	Hawkins	McCain	Shelton
Clark	Hornsby	McDow	Smith
Cooper	Horton	Montgomery	Taylor
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1051. Proposing an amendment to the Constitution relating to authorizing the City of Birmingham to levy and collect each year in addition to all other taxes, now or hereafter authorized, a special ad valorem tax of fifty cents on each one hundred dollars worth of taxable property in the City.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Horton	Montgomery	Smith
Carter	James	Oden	Taylor
Clark	Lolley	Reynolds	Tyson
Dumas	Lowe	Roberts	Wilson
Evans	Mathews		

—25

Nays: —0

The Bill:

H. 1053. To amend Section 17 of Act Number 385 of the 1947 Session of the Legislature of Alabama, approved September 16, 1947 (General Acts of Alabama 1947, page 280) entitled "An Act To apply in, and only in, counties which have a population of 400,000 inhabitants or more, according to the last or any subsequent federal census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this act."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Smith
Carter	Hammond	Montgomery	Taylor
Clark	Hawkins	Oden	Tyson
Cooper	Hornsby	Reynolds	Wilson
Dumas	Lowe		

—25

Nays: —0

The Bill:

H. 1054. To authorize the Registers and Clerks of all Circuit Courts, in Counties having a population of 600,000 or more inhabitants, according to the last or any subsequent Federal Census, to destroy certain documents, papers and exhibits.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Hawkins	McCain	Robison (Pickens)
Brannan	Hornsby	McDow	Taylor
Carter	Horton	Montgomery	Tyson
Cooper	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1055. To authorize the Registers and Clerks of all Circuit Courts in counties having a population of 600,000 inhabitants or more, according to the last or any subsequent Federal census, to record all pleadings, decrees and other documents presently or hereafter required to be recorded, by means of photograph or microphotograph machines, and for preserving such on film and microfilm.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Smith
Brannan	Hammond	McDow	Taylor
Carter	Horton	Oden	Tyson
Clark	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1042. To amend further Section 1 of Act No. 158, H. 399, Regular Session 1961 (Acts 1961, p. 206), which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to regulate further the payment of an expense allowance to the coroner in any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Carter	Hawkins	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1056. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof

certain additional territory in Section 5, Township 19 South, Range 4 West, Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Pickens)	
Adams	Hammond	McCain	Shelton	
Bentley	Hawkins	Montgomery	Smith	
Brannan	Hornsby	Oden	Taylor	
Cooper	James	Reynolds	Tyson	
Dumas	Lolley	Roberts	Wilson	
Eddins	Lowe			—25

Nays:

—0

The Bill:

H. 1044. Relating to Geneva County: To provide further for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts	
Adams	Evans	Mathews	Robison (Montgomery)	
Allen	Gilchrist	McCain	Smith	
Bentley	Givhan	McDow	Taylor	
Brannan	Hammond	Oden	Tyson	
Carter	James	Reynolds	Wilson	
Cooper	Lolley			—25

Nays:

—0

The Bill:

H. 1043. Relating to Geneva County: To authorize the county governing body to employ an industrial development agent for the County; fix his term of employment and compensation, and prescribe his duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lowe	Robison (Pickens)	
Adams	Evans	Mathews	Shelton	
Allen	Hawkins	McCain	Smith	
Bentley	Hornsby	McDow	Taylor	
Brannan	Horton	Montgomery	Tyson	
Clark	James	Reynolds	Wilson	
Cooper	Lolley			—25

Nays:

—0

The Bill:

H. 1005. To fix the compensation of election officers in Lawrence County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Adams	Hammond	Mathews	Roberts
Allen	Hawkins	McCain	Robison (Montgomery)
Bentley	Hornsby	McDow	Robison (Pickens)
Brannan	Horton	Montgomery	Tyson
Carter	James	Oden	Wilson
Clark	Lolley		

—25

Nays:

—0

The Bill:

H. 1041. Relating to counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; to provide an expense allowance for the judge of probate of any such county.

was taken up.

Mr. Hawkins offered the following amendment to the Bill, to-wit:

Amendment to H. B. 1041

Amend House Bill 1041

by striking from Section 1 thereof the words and figures "One hundred dollars (\$100)" wherever they appear, and substituting therefor the words and figures "One Hundred and Fifty (\$150.00) dollars".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hawkins	McDow	Smith
Cooper	Horton	Montgomery	Taylor
Dumas	James	Oden	Tyson
Eddins	Lolley		

—25

Nays:

—0

And said Bill, H. B. 1041, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Shelton
Allen	Gilchrist	McCain	Smith
Bentley	Givhan	Montgomery	Taylor
Brannan	Hawkins	Oden	Tyson
Carter	Hornsby	Reynolds	Wilson
Clark	Lolley		

—25

Nays:

—0

The Bill:

H. 1038. To establish a Law and Equity Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties, and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation, and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Chilton County Law and Equity Court, Probate Court, and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the Chilton County Law and Equity Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Robison (Pickens)	
Adams	Evans	Mathews	Shelton	
Allen	Gilchrist	McDow	Smith	
Carter	Givhan	Montgomery	Taylor	
Clark	Hornsby	Oden	Tyson	
Cooper	James	Robison (Montgomery)	Wilson	
Dumas	Lolley			—25

Nays:

—0

The Bill:

H. 1046. To repeal special county excise taxes in counties having populations of not less than 19,500 nor more than 20,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts	
Adams	Gilchrist	McCain	Robison (Montgomery)	
Allen	Hammond	McDow	Robison (Pickens)	
Bentley	Hawkins	Montgomery	Taylor	
Brannan	James	Oden	Tyson	
Cooper	Lolley	Reynolds	Wilson	
Eddins	Lowe			—25

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Shelton, further consideration of the Bill, H. B. 1032, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1003. To alter, rearrange and extend the boundary lines and Corporate limits of the Town of Rogersville, Lauderdale County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Smith
Brannan	Hammond	Montgomery	Taylor
Carter	Hawkins	Oden	Tyson
Clark	Horton	Reynolds	Wilson
Cooper	Lowe		

—25

Nays:

—0

The Bill:

S. 504. Relating to all counties having populations of not less than 150,000, according to the most recent federal decennial census; further regulating the plumbers Examining Board in establishing the competency of plumbers; and further amending Section 7 of Act No. 529, H. 977, Regular Session 1949 (Acts 1949, p. 827).

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR S. 504

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having populations of not less than 150,000, according to the most recent federal decennial census; further regulating the Plumbers Examining Board in establishing the competency of plumbers; and further amending Section 5, as last amended, and Section 7, as last amended, of General Act No. 529, General Laws of Alabama, approved September 2, 1949 (Acts of Alabama, 1949, p. 827, Et Seq.)

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 5, as last amended, of Act No. 529, General Laws of Alabama, approved September 2, 1949 (1949 Acts, p. 827, Et Seq.) is hereby further amended to read as follows:

"Section 5. COMPENSATION AND EXPENSES OF PLUMBERS EXAMINING BOARD. Each member of the Plumbers Examining Board shall receive as compensation for his services the sum of twenty-five dollars (~~\$25~~) per day for each day necessarily spent in active service. In addition to such per diem compensation each member shall be reimbursed for his necessary expenses incurred in the performance of his duties as a member of the Board. The expenses allowable to each member of the Board shall not exceed twenty-five dollars (\$25) per day, including travel and hotel expenses. No member of the Board shall receive compensation for more than sixteen (16) days in any one calendar year, nor shall any member of the Board receive the per diem expense allowance, hereinabove provided, for more than sixteen (16) days in any one calendar year.

The compensation of the secretary-treasurer of the Board shall be fixed by the Board at a rate not exceeding thirty-six hundred dollars (\$3600.00) per annum, payable in monthly installments.

Any employee of the Board, when traveling on official business for the Board, shall be entitled to be reimbursed for actual expenses incurred, including hotel and traveling expenses, not exceeding twenty-five dollars (\$25) per day; provided, however, the total amount of such expenses for all employees of the Board shall not exceed forty-eight hundred dollars (\$4800.00) in any calendar year.

The Board shall have the authority to employ any legal, stenographic or clerical help when and if the same may be needed, and to purchase necessary office supplies. The Board may also employ inspectors or enforcement officers, for full-time or part-time duty, provided no person shall be employed as an inspector or enforcement officer who is engaged in or connected with the plumbing industry or the installation of plumbing nor connected with any person, firm or corporation handling or dealing in appliances connected with plumbing.

The compensation and expense provided for in this section, and all other authorized expenses, shall be payable solely from fees collected by or on behalf of the Board. In no event shall any expense incurred by the Board be charged against any funds of the State of Alabama other than the funds collected under the provisions of this act."

Section 2. That Section 7, as last amended, of Act No. 529, General Laws of Alabama, approved September 2, 1949 (1949 Acts, p. 827, Et Seq.) is hereby further amended to read as follows:

"Section 7. EXAMINATION AND CERTIFICATION OF PLUMBERS, AND PLUMBER APPRENTICES. It shall be unlawful for any person, firm or corporation to do or perform, or to bid upon, contract, direct or superintend any plumbing anywhere within any county having a population in excess of 150,000 inhabitants, according to the last or any subsequent Federal Decennial census, unless such person, firm or corporation has first received a certificate of competency, hereinafter referred to as "certificate", and unless such certificate is in force and effect at the time such plumbing is bid upon, contracted for, done, directed or superintended; except as hereinafter provided.

It shall be the duty of the Board to examine and pass upon the qualifications of every person who may apply for a Plumbers Apprentice Certificate upon forms provided by the Board. Such applicant shall be examined, orally or in writing, upon his knowledge and conception of plumbing work, his ability to work with his hands, his aptitude and physical fitness for plumbing work and his educational training to date of his application. If such applicant be found to be at least sixteen (16) years of age and to possess some knowledge of plumbing work and to have some reasonable aptitude and physical fitness therefor as well as a genuine desire to learn the plumbing trade, or is duly registered as an apprentice in a plumbing apprentice training program conducted by a Joint Apprenticeship Committee organized and existing in a county subject to this Act, the Board shall issue to him a certificate as a plumber apprentice upon his first paying all fees herein prescribed.

It shall be the duty of the Board to examine and pass upon the qualifications of every person who may apply for a journeyman's plumbers certificate upon forms provided by the Board. Such applicant shall be examined, orally or in writing, upon the fundamentals of plumbing, the theory and practice of plumbing installation and construction, and the experience and ability of the applicant in practical plumbing installation and construction. If such applicant be found to possess an accurate knowledge of the theory and correct practice of plumbing installation and construction and sufficient experience and ability in plumbing installation and construction to safely and competently apply his knowledge and practice, the Board shall issue to him a certificate as a journeyman plumber upon his first paying all fees herein prescribed.

It shall be the duty of said Board to examine and pass upon the qualifications of every person who may apply for a master plumber's certificate upon forms provided by the Board. Such applicant for a master's certificate shall be examined as an applicant for a journeyman's certificate, as hereinabove required to be examined and also upon his knowledge, training and ability in the planning, laying out and supervision of plumbing installation and construction work. If such applicant for a master's certificate be found to possess the qualifications hereinabove prescribed for the issuance of a journeyman's certificate and also sufficient knowledge, training and ability to competently and safely plan, layout and supervise installation and construction work, he shall be issued a master plumber's certificate by said Board.

Each Master plumber certificate issued by the Board shall state thereon that the person, firm or corporation to whom such certificate is issued, within the first six months' period from the date of issuance thereof, shall be qualified and entitled to bid on, and perform work, or cause work to be performed, pursuant to the terms of contracts involving sums not in excess of twenty thousand dollars (\$20,000.00). Such certificate shall further state thereon that the person, firm or corporation to whom it is issued, within the second six months' period from date of issuance, shall be qualified and entitled to bid on, and perform work, or cause work to be performed, pursuant to the terms of contracts involving sums not in excess of one hundred thousand dollars (\$100,000.00). After the expiration of one (1) year from the date of issuance of such certificate, the person, firm or corporation to whom such certificate has been issued shall not be limited in any manner as to the sum of money involved in contracts upon which such person, firm or corporation is entitled to bid, or perform work, or cause work to be performed, pursuant to the terms thereof. It shall be unlawful for any person, firm or corporation to subdivide any contract covered by the provisions of this Act into more than one contract or part, for the purpose of evading the provisions of this section of this Act and all contracts made in violation of this section of this Act shall be invalid and unenforceable, and any work done or performed pursuant to the terms thereof shall be forfeited to the recipient thereof.

In all counties of this State whose population exceeds 150,000 according to any Federal Decennial census taken subsequent to the passage of this Act, the examination required of an applicant for a certificate as a master plumber or a journeyman plumber may be waived by the Board as to any person who furnishes satisfactory proof to the Board that he is a person of good moral character, and that he has been actively engaged as a master plumber or as a journeyman plumber, and duly licensed as such, under the general laws of the State of Alabama, as the case may be, for at least two years, provided that such person files an application in writing for waiver with the Board, which application shall be accompanied by an affidavit giving the name or names of the persons, firms or corporations and the addresses thereof by whom he has been employed, or for whom he has done plumbing work during said two years of his engaging in said trade, and provided further that said application be filed within six (6) months after the date upon which said Federal census becomes effective in said counties subsequent to the passage of this Act. The examination required of an applicant for a certificate as a plumber apprentice may be waived by the Board as to any person who furnishes satisfactory proof to the Board that he is a person of good moral character, and that he was actively engaged as a plumber apprentice by any duly licensed master plumber on the date of the passage of this Act or was duly registered on said date as an apprentice in a plumbing apprentice training program hereinabove set forth, provided that such person files an application in writing for waiver with the Board, which application shall be accompanied by an affidavit giving the name

and address of the master plumber by whom he was actively engaged as a plumber apprentice on said date, or the name and address of the organization conducting the plumbing apprentice training program in which such person was registered on said date, and provided further that said application be filed within six (6) months after the passage of this Act. Except as herein provided in this section, no person shall be issued a certificate without passing the prescribed examination, provided, however, that a person after having passed said examination, shall not be required to take said examination thereafter in order to secure a certificate in subsequent years. At least four (4) examinations per year shall be conducted, at a time and place prescribed by the Board after reasonable notice thereof. No plumber apprentice shall be allowed to do, or assist in doing, any plumbing as herein defined except under the active and continuous supervision of a master or journeyman plumber. No master plumber shall supervise or undertake to use on any job site the service of more than one (1) plumber apprentice for each three journeymen plumbers employed at said job site. Nothing herein contained in this Act shall be construed to prevent a journeyman plumber from over-seeing, working with and superintending the work of a plumber apprentice who may be assigned to such journeyman plumber by the master plumber contracting for or, superintending the plumbing work on such job site. No journeyman plumber, however, shall undertake to do, or contract to do, or superintend the installation of, plumbing by utilizing the services of a plumber apprentice in doing, or contracting to do, plumbing for his own account or as his own business."

Section 3. That, if any Section, paragraph or provision of this Act is held or determined by any Court of competent jurisdiction to be invalid or unconstitutional, all Sections, paragraphs or provisions of this Act not thereby affected, shall remain in full force and effect.

Section 4. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

On motion of Mr. Tyson, said substitute for the Bill, S. B. 504, was laid on the table.

Mr. Tyson then offered the following substitute for the Bill, S. B. 504, to-wit:

Substitute for S. B. 504

A BILL TO BE ENTITLED AN ACT

Relating to all counties having populations of not less than 150,000, according to the most recent federal decennial census; further regulating the Plumbers Examining Board in establishing the competency of plumbers; and further amending Section 5, as last amended, and Section 7, as last amended, of General Act No. 529, General Laws of Alabama, approved September 2, 1949 (Acts of Alabama, 1949, p. 827, Et Seq.).

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 5, as last amended, of Act No. 529, General Laws of Alabama, approved September 2, 1949 (1949 Acts, p. 827, Et Seq.) is hereby further amended to read as follows:

"Section 5. COMPENSATION AND EXPENSES OF PLUMBERS EXAMINING BOARD. Each member of the Plumbers Examining Board shall receive as compensation for his services the sum of twenty-five dollars (\$25) per day for each day necessarily spent in active service.

In addition to such per diem compensation each member shall be reimbursed for his necessary expenses incurred in the performance of his duties as a member of the Board. The expenses allowable to each member of the Board shall not exceed twenty-five dollars (\$25) per day, including travel and hotel expenses. No member of the Board shall receive compensation for more than sixteen (16) days in any one calendar year, nor shall any member of the Board receive the per diem expense allowance, hereinabove provided, for more than sixteen (16) days in any one calendar year.

The compensation of the secretary-treasurer of the Board shall be fixed by the Board at a rate not exceeding thirty-six hundred dollars (\$3600.00) per annum, payable in monthly installments.

Any employee of the Board, when traveling on official business for the Board, shall be entitled to be reimbursed for actual expenses incurred, including hotel and traveling expenses, not exceeding twenty-five dollars (\$25) per day; provided, however, the total amount of such expenses for all employees of the Board shall not exceed forty-eight hundred dollars (\$4800.00) in any calendar year.

The Board shall have the authority to employ any legal, stenographic or clerical help when and if the same may be needed, and to purchase necessary office supplies. The Board may also employ inspectors or enforcement officers, for full-time or part-time duty, provided no person shall be employed as an inspector or enforcement officer who is engaged in or connected with the plumbing industry or the installation of plumbing nor connected with any person, firm or corporation handling or dealing in appliances connected with plumbing.

The compensation and expense provided for in this section, and all other authorized expenses, shall be payable solely from fees collected by or on behalf of the Board. In no event shall any expense incurred by the Board be charged against any funds of the State of Alabama other than the funds collected under the provisions of this act."

Section 2. That Section 7, as last amended, of Act No. 529, General Laws of Alabama, approved September 2, 1949 (1949 Acts, p. 827, Et. Seq.) is hereby further amended to read as follows:

"Section 7. **EXAMINATION AND CERTIFICATION OF PLUMBERS, AND PLUMBER APPRENTICES.** It shall be unlawful for any person, firm or corporation to do or perform, or to bid upon, contract, direct or superintend any plumbing anywhere within any county having a population in excess of 150,000 inhabitants, according to the last or any subsequent Federal Decennial census, unless such person, firm or corporation has first received a certificate of competency, hereinafter referred to as "certificate", and unless such certificate is in force and effect at the time such plumbing is bid upon, contracted for, done, directed or superintended; except as hereinafter provided.

It shall be the duty of the Board to examine and pass upon the qualifications of every person who may apply for a **Plumbers Apprentice Certificate** upon forms provided by the Board. Such applicant shall be examined, orally or in writing, upon his knowledge and conception of plumbing work, his ability to work with his hands, his aptitude and physical fitness for plumbing work and his educational training to date of his application. If such applicant be found to be at least sixteen (16) years of age and to possess some knowledge of plumbing work and to have some reasonable aptitude and physical fitness therefor as well as a genuine desire to learn the plumbing trade, or is duly registered as an apprentice in a plumbing apprentice training program conducted by a Joint Apprenticeship Committee organized and existing in a county subject to this Act, the Board shall issue to him a certificate as a plumber apprentice upon his first paying all fees herein prescribed.

It shall be the duty of the Board to examine and pass upon the qualifications of every person who may apply for a journeyman's plumber's certificate upon forms provided by the Board. Such applicant shall be examined, orally or in writing, upon the fundamentals of plumbing, the theory and practice of plumbing installation and construction, and the experience and ability of the applicant in practical plumbing installation and construction. If such applicant be found to possess an accurate knowledge of the theory and correct practice of plumbing installation and construction and sufficient experience and ability in plumbing installation and construction to safely and competently apply his knowledge and practice, the Board shall issue to him a certificate as a journeyman plumber upon his first paying all fees herein prescribed.

It shall be the duty of said Board to examine and pass upon the qualifications of every person who may apply for a master plumber's certificate upon forms provided by the Board. Such applicant for a master's certificate shall be examined as an applicant for a journeyman's certificate, as hereinabove required to be examined and also upon his knowledge, training and ability in the planning, laying out and supervision of plumbing installation and construction work. If such applicant for a master's certificate be found to possess the qualifications hereinabove prescribed for the issuance of a journeyman's certificate and also sufficient knowledge, training and ability to competently and safely plan, layout and supervise installation and construction work, he shall be issued a master plumber's certificate by said Board.

In all counties of this State whose population exceeds 150,000 according to any Federal Decennial census taken subsequent to the passage of this Act, the examination required of an applicant for a certificate as a master plumber or a journeyman plumber may be waived by the Board as to any person who furnishes satisfactory proof to the Board that he is a person of good moral character, and that he has been actively engaged as a master plumber or as a journeyman plumber, and duly licensed as such, under the general laws of the State of Alabama, as the case may be, for at least two years, provided that such person files an application in writing for waiver with the Board, which application shall be accompanied by an affidavit giving the name or names of the persons, firms or corporations and the addresses thereof by whom he has been employed, or for whom he has done plumbing work during said two years of his engaging in said trade, and provided further that said application be filed within six (6) months after the date upon which said Federal census becomes effective in said counties subsequent to the passage of this Act. The examination required of an applicant for a certificate as a plumber apprentice may be waived by the Board as to any person who furnishes satisfactory proof to the Board that he is a person of good moral character, and that he was actively engaged as a plumber apprentice by any duly licensed master plumber on the date of the passage of this Act or was duly registered on said date as an apprentice in a plumbing apprentice training program hereinabove set forth, provided that such person files an application in writing for waiver with the Board, which application shall be accompanied by an affidavit giving the name and address of the master plumber by whom he was actively engaged as a plumber apprentice on said date, or the name and address of the organization conducting the plumbing apprentice training program in which such person was registered on said date, and provided further that said application be filed within six (6) months after the passage of this Act. Except as herein provided in this section, no person shall be issued a certificate without passing the prescribed examination, provided, however, that a person after having passed said examination, shall not be required to take said examination thereafter in order to secure a certificate in subsequent years. At least four (4) examinations per year shall be conducted, at a time and place prescribed by the Board after reasonable notice thereof.

No plumber apprentice shall be allowed to do, or assist in doing, any plumbing as herein defined except under the active and continuous supervision of a master or journeyman plumber. No master plumber shall supervise or undertake to use on any job site the service of more than one (1) plumber apprentice for each three journeymen plumbers employed at said job site. Nothing herein contained in this Act shall be construed to prevent a journeyman plumber from overseeing, working with and superintending the work of a plumber apprentice who may be assigned to such journeyman plumber by the master plumber contracting for or, superintending the plumbing work on such job site. No journeyman plumber, however, shall undertake to do, or contract to do, or superintend the installation of, plumbing by utilizing the services of a plumber apprentice in doing, or contracting to do, plumbing for his own account or as his own business.

In case any plumbing is bid upon, contracted for, done, directed or superintended by any person, firm or corporation, in violation of the provisions of this Section of this Act, the Board, in addition to other remedies, may institute injunction, quo warranto, or other, appropriate action or proceedings to prevent such bidding upon, contracting for, doing, directing or superintending of plumbing in violation of the provisions of this Section of this Act, or to restrain, correct or abate such violation or to prevent any illegal act, conduct, practice, use or business done, conducted, performed or practiced by such person, firm or corporation in violation of the provisions of this Section of this Act."

Section 3. That, if any Section, paragraph or provision of this Act is held or determined by any Court of competent jurisdiction to be invalid or unconstitutional, all Sections, paragraphs or provisions of this Act not thereby affected, shall remain in full force and effect.

Section 4. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Robison (Pickens)
Allen	Evans	Mathews	Shelton
Bentley	Givhan	McCain	Smith
Brannan	Hawkins	McDow	Taylor
Carter	Horton	Oden	Tyson
Clark	James		

—25

Nays:

—0

And said Bill, S. B. 504, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Robison (Pickens)
Allen	Evans	Mathews	Shelton
Bentley	Givhan	McCain	Smith
Brannan	Hawkins	McDow	Taylor
Carter	Horton	Oden	Tyson
Clark	James		

—25

Nays:

—0

The Bill:

H. 1065. To amend further Section 3, Act No. 661, H. 1077, Regular Session 1957, the act creating the Madison County Court, in relation to the compensation of the judge of said court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Bentley	Givhan	Mathews	Roberts
Brannan	Hawkins	McCain	Robison (Pickens)
Clark	Hornsby	McDow	Smith
Cooper	Horton	Montgomery	Taylor
Dumas	James	Oden	Tyson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1022. To provide clerk-hire allowance for certain officers of all counties having populations of not less than 21,850 nor more than 21,950.

Mr. Robison (Pickens) offered the following amendment to the Bill, to-wit:

Amendment to H. B. 1022

In Section 1, first sentence, strike out the words "for the use of the tax collector and tax assessor" and insert "for the use of the circuit clerk, the tax collector, and the tax assessor"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Pickens)
Allen	Givhan	McCain	Smith
Bentley	Hammond	McDow	Taylor
Clark	Hornsby	Montgomery	Tyson
Dumas	Horton	Oden	Wilson
Eddins	Lolley		

—25

Nays:

—0

And said Bill, H. B. 1022, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Robison (Pickens)
Allen	Gilchrist	Mathews	Smith
Bentley	Givhan	McCain	Taylor
Clark	Hornsby	McDow	Tyson
Cooper	Horton	Montgomery	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1026. Proposing an amendment to the Constitution of Alabama relating to the town of Lester, Limestone County, and ordering an election thereon.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Montgomery)
Adams	Givhan	McCain	Robison (Pickens)
Allen	Hammond	McDow	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Horton	Oden	Taylor
Dumas	Lolley	Roberts	Tyson
Evans	Lowe		

—25

Nays:

—0

The Bill:

H. 725. To amend further Section 788 of Title 37, Code of Alabama 1940, as amended, relating to municipal planning commissions in all cities having populations of not less than 200,000 nor more than 300,000 according to the most recent federal decennial census.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amendment to H. B. 725

Strike out the second paragraph and insert in lieu thereof the following:

"Section 788. The commission shall consist of nine members, namely, the mayor, one of the administrative officials of the municipality selected by the mayor, and a member of the council to be selected by it as members ex-officio, and six persons who shall be appointed by the mayor, if the mayor be an elective officer, otherwise by such officer as council may in the ordinance creating the commission designate as the appointing power; provided, however, that in any city having, according to the last or any succeeding federal census, a population of more than three hundred thousand inhabitants, the commission shall consist of sixteen members, namely, the mayor, one of the administrative officials of the municipality selected by the mayor, two members of the council to be selected by it, all as members ex-officio, and twelve persons who shall be selected by the council. In addition to the regular members, in all cities having populations of not less than 200,000 nor more than 300,000, two supernumerary members shall be appointed to serve on such board at the call of the chairman only in the absence of regular members, and while so serving have and exercise the power and authority of regular members. All members of the commission shall serve as such without compensation, and the appointed members shall hold no other municipal office, except that one of such appointed members may be a member of the zoning board of adjustment or appeals, except in all cities having populations of not less than two hundred thousand nor more than three hundred thousand, according to the most recent federal decennial census, wherein no member of such commission may be a member of the zoning board of adjustment or appeals and wherein all members of such com-

mission shall be bona fide residents and qualified electors of such cities. The terms of ex-officio members shall correspond to their respective official tenures, except that the term of the administrative official selected by the mayor shall terminate with the term of the mayor selecting him. The term of each appointed member shall be six years or until his successor takes office, except that the respective terms of five of the members first appointed shall be one, two, three, four, and five years; provided, however, that in any city having a sixteen-member commission as provided above, the respective terms of five pairs of the members first appointed by council shall be one, two, three, four and five years. And provided further, that in all cities having populations of not less than 200,000 nor more than 300,000, the term of each appointed member of the commission shall be for three years. Members other than the member selected by council may, after a public hearing, be removed by the mayor for inefficiency, neglect of duty, or malfeasance in office; provided, further, that in any city having a sixteen-member commission as provided above, members may, after a public hearing, be removed by council for any of the above reasons or for continued failure to attend meetings. Council may for like cause remove the member or members selected by it. The mayor or council, as the case may be, shall file a written statement of reasons for such removal. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term by the mayor in the case of members selected or appointed by him, by council in the case of the councilmanic member or other members selected by it, and by the appointing power designated by council in municipalities in which the mayor is not an elective officer."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hammond	Montgomery	Shelton
Brannan	Hawkins	Oden	Smith
Carter	Hornsby	Reynolds	Tyson
Clark	James		

—25

Nays:

—0

And said Bill, H. B. 725, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Oden
Adams	Eddins	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Montgomery	Tyson
Clark	Hornsby		

—25

Nays:

—0

The Bill:

H. 726. Further amending Section 781, Title 37, Code of Alabama 1940, as amended; prescribing certain qualifications for membership of the board of adjustment in cities of not less than 200,000 nor more than 300,000 population according to the most recent federal decennial census.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

Amendment to H. B. 726

Strike out the second paragraph of Section 1 and insert in lieu thereof the following:

"Section 781. In availing itself of the powers conferred by this article, the legislative body of any incorporated city or town may provide for the appointment of a board of adjustment, and in the regulations and restrictions adopted pursuant to the authority of this article, may provide that the said board of adjustment shall in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance in harmony with its general purposes and interests and in accordance with general or specific rules therein contained. The board of adjustment shall consist of five members, each to be appointed for a term of three years except that in the first instance one member shall be appointed for a term of three years, two for a term of two years and two for a term of one year. Thereafter each member appointed shall serve for a term of three years or until his successor is duly appointed. Provided that in all cities having populations of not less than 200,000 nor more than 300,000 according to the most recent federal decennial census all members of the board, including any alternate member herein provided for, shall be bona fide residents and qualified electors of such cities. Provided further, that the members of boards of adjustment heretofore created shall serve out their terms and thereafter the members of such boards shall be appointed in the manner prescribed herein for boards created after the effective date of this Act. In addition to the five regular members herein provided for two supernumerary members shall be appointed to serve on such board at the call of the chairman, only in the absence of regular members, and while so serving have and exercise the power and authority of regular members. Such supernumerary members shall be appointed to serve for three year terms and shall be eligible for reappointment. Appointed members may be removable for cause by appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The Board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Provided, that in cities having populations of not less than 200,000 nor more than 300,000, the board shall meet regularly once a month, on a day determined by the board. Such chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and of other official actions. All of which shall immediately be filed in the office of the board and shall be a public record. Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall transmit forthwith to the board all papers constituting the record upon which the action appealed was taken. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certified to the board of ad-

justment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. Such proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown. The board of adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney. The board of adjustment shall have the following powers: To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this article or of any ordinance adopted pursuant thereto. To hear and decide special exceptions to the terms of the terms of the ordinance upon which such board is required to pass under such ordinance. To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done. In exercising the above mentioned powers such board may in conformity with the provisions of this article, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision, or determination as ought be made, and, to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of 4 members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance. The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called on by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Horton	Oden
Adams	Dumas	James	Roberts
Allen	Eddins	Lowe	Shelton
Bentley	Gilchrist	Mathews	Taylor
Brannan	Givhan	McDow	Tyson
Carter	Hammond	Montgomery	Wilson
Clark	Hawkins		

—25

Nays: —0

And said Bill, H. B. 726, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Bentley	Clark	Eddins
Adams	Brannan	Cooper	Evans
Allen	Carter	Dumas	Gilchrist

Givhan	James	Montgomery	Shelton	
Hammond	Lowe	Oden	Smith	
Hawkins	Mathews	Roberts	Tyson	
Horton	McDow			—25

Nays: —0

The Bill:

H. 1150. Relating to all counties having populations of not less than 22,350 nor more than 24,350 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Montgomery)	
Adams	Givhan	McDow	Robison (Pickens)	
Allen	Hawkins	Montgomery	Smith	
Brannan	Horton	Oden	Taylor	
Carter	James	Reynolds	Tyson	
Cooper	Lolley	Roberts	Wilson	
Eddins	Lowe			—25

Nays: —0

The Bill:

H. 1151. To amend Section 2 of Act No. 437, H. 937, Regular Session 1951, an act fixing the compensation of the members and chairman of the board of revenue and control of Morgan County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Pickens)	
Adams	Hammond	McCain	Shelton	
Bentley	Hawkins	McDow	Smith	
Carter	Hornsby	Montgomery	Taylor	
Clark	Horton	Oden	Tyson	
Dumas	James	Reynolds	Wilson	
Eddins	Lolley			—25

Nays: —0

The Bill:

H. 1152. To amend further Section 1 of Act No. 464, H. 879, Regular Session 1939, an act fixing the compensation of the tax collector of Morgan County (Local Acts 1939, p. 278).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Roberts
Adams	Dumas	Lolley	Robison (Montgomery)
Allen	Eddins	McCain	Robison (Pickens)
Bentley	Evans	McDow	Shelton
Brannan	Gilchrist	Oden	Tyson
Carter	Hornsby	Reynolds	Wilson
Clark	Horton		

—25

Nays:

—0

The Bill:

H. 1153. To amend further Section 1 of Act No. 361, H. 878, Regular Session 1939, an act fixing the compensation of the Tax Assessor of Morgan County (Local Acts 1939, p. 248).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Shelton
Brannan	Gilchrist	McCain	Smith
Carter	Givhan	McDow	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1154. To abolish the jury commission of Morgan County as presently constituted and create in lieu thereof a commission composed of the circuit court judges of the eighth judicial circuit of Alabama or as many thereof as may be residents of Morgan County, the judge of the county court of Morgan County, and two additional members to be appointed by the governor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Robison (Pickens)
Allen	Givhan	McDow	Shelton
Bentley	Hammond	Montgomery	Smith
Brannan	Hawkins	Oden	Taylor
Clark	Lolley	Roberts	Tyson
Dumas	Lowe		

—25

Nays:

—0

The Bill:

H. 1179. To authorize and empower the Board of Revenue, County Commission or like governing body in all counties of this State having a population of 400,000 or more inhabitants according to the last or any

subsequent federal census, to construct and improve lateral sewer lines in subdivisions located outside the limits of municipalities in such counties, such lateral sewer lines to be constructed or improved under the provisions of and subject to the terms and conditions of Act No. 519 of the 1947 Regular Session of the Legislature of Alabama, approved September 30, 1947 (1947 General Acts, p. 356).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Taylor
Carter	Horton	Montgomery	Wilson
Clark	James		

—25

Nays:

—0

The Bill:

H. 1183. To repeal Act No. 87 of the Second Special Session of the Legislature of Alabama of 1963 (Acts of Alabama, 1963, Page 252), providing that any recorder of a city having a population of 350,000 or more shall have the power and authority to require an appeal bond in any case appealed to the circuit court or court of like jurisdiction in any reasonable amount not exceeding \$2,500.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Pickens)
Adams	Hawkins	McCain	Shelton
Allen	Hornsby	McDow	Smith
Bentley	Horton	Montgomery	Taylor
Brannan	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1130. To regulate the handling, control, custody and disposition of all official or trust funds by clerks or deputy clerks of the circuit court in counties in this state having a population of 500,000 or more according to the last or any subsequent Federal census; to provide that the county commission or like governing body in such counties shall name the depositories to receive such funds, and may provide that any of such funds may be invested; to provide that such circuit clerks or deputy clerks shall be relieved from personal liability for any loss by reason of the failure of any depository designated by the aforesaid county commissions or like governing body; that such clerks or deputy clerks of the circuit court shall disburse such funds in accordance with the judgments, orders and decrees of any judge of the circuit court sitting in and for such counties; that any clerk or deputy clerk of the circuit court who fails to comply with the provisions of this Act shall be guilty of wilful neglect of duty; that all laws or parts of laws, local, special or general, in conflict with this Act are hereby repealed.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Oden
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Smith
Brannan	Hornsby	McDow	Taylor
Carter	Horton	Montgomery	Tyson
Clark	James		

—25

Nays:

—0

The Bill:

H. 1175. To impose and levy in every county of the State having a population of 500,000 or more according to the last or any subsequent Federal Census a tax on every person who sells, stores or delivers cigarettes or smoking tobacco in the county, in the form of a license tax in the amount prescribed in the act, which tax shall be in addition to all other taxes now imposed by law; to provide for the amount, or rate, of the tax which shall be levied on the sale, storage or delivery of cigarettes and smoking tobacco; to provide that the taxes levied by this act shall be paid by the use of stamps, which shall be affixed to the tobacco products subject to said tax; to provide for certain exemptions from the taxes levied by this act; to provide for the method of collecting and enforcing the taxes levied by this act; to provide penalties for the violation of this act; to provide that any person who sells or stores or receives for the purpose of sale or distribution any article containing tobacco enumerated in this act shall add the amount of the license or privilege tax levied and assessed by this act to the price of the article, and shall collect from the purchaser the amount of the tax due under this act; to provide that the officer or employee chargeable with the duty of collecting privilege or license taxes payable to the county shall collect the taxes levied by this act; to provide that the said officer or employee collecting the taxes levied by this act shall pay one per cent (1%) of the total amount of taxes collected by him to the treasury of the county, as compensation to the county for expenses incurred by the county in securing the stamps necessary for the administration of this act and for other expenses incurred by the county in the collection of the taxes and the enforcement of this act; to provide that the officer or employee collecting the taxes shall pay all of the proceeds of the taxes, except the one per cent (1%) deducted as aforesaid, to a public corporation heretofore or hereafter created by the Legislature of Alabama for the purpose of establishing, constructing, maintaining, and operating a civic center in that municipality wherein the county seat of the county is situated to the end that the said taxes may be used by the said public corporation for the purposes for which it is created; to provide that the taxes levied by this act shall go into effect, or become effective, on the first day of the calendar month next following that calendar month in which there is adopted an act creating in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a public corporation for the purpose of establishing, maintaining and operating a civic center in the county seat of said county provided, however, that if the last mentioned act has been enacted prior to this act becoming a law, then the taxes levied by this act shall become effective, and go into effect, on the first day of that calendar month next following the calendar month in which this act becomes a law; and to provide for the repeal of all laws, whether general, special or local, in conflict with the provisions of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Givhan	Mathews	Robison (Montgomery)
Bentley	Hawkins	McCain	Robison (Pickens)
Brannan	Hornsby	Montgomery	Smith
Clark	Horton	Oden	Taylor
Dumas	James	Reynolds	Tyson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1177. To impose and levy in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a privilege or license tax against or on every person engaged in the county in the business of renting or furnishing any room or rooms, lodging or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings, or accommodations are rented or furnished for a consideration, and also a privilege or license tax on every person engaged in such county in the business of renting or furnishing space for the accommodations of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the officer or employee chargeable with the duty of collecting privilege or license taxes payable to the county shall collect the taxes levied by this act; to provide that the said officer or employee collecting the taxes levied by this act shall pay one per cent (1%) of the total amount of taxes collected by him to the treasury of the county, as compensation to the county for expenses incurred by the county in the collection of said taxes and in the administration and enforcement of this act; to provide that the officer or employee collecting the taxes shall pay all of the proceeds of the taxes, except the one per cent (1%) deducted as aforesaid, to a public corporation heretofore or hereafter created by the Legislature of Alabama for the purpose of establishing, constructing, maintaining, and operating a civic center in that municipality wherein the county seat of the county is situated, to the end that the said taxes may be used by the said public corporation for the purposes for which it is created; to provide that the taxes levied by this act shall go into effect, or become effective, on the first day of the calendar month next following that calendar month in which there is adopted an act creating in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a public corporation for the purpose of establishing, maintaining and operating a civic center in the county seat of said county provided, however, that if the last mentioned act has been enacted prior to this act becoming a law, then the taxes levied by this act shall become effective, and go into effect, on the first day of that calendar month next following the calendar month in which this act becomes a law, and to provide for the repeal of all laws, whether general, special or local, in conflict with the provisions of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Eddins	Hawkins
Allen	Cooper	Evans	Horton
Brannan	Dumas	Givhan	James

Lolley	Montgomery	Robison (Montgomery)	Taylor	
Lowe	Oden	Robison (Pickens)	Tyson	
Mathews	Reynolds	Smith	Wilson	
McCain	Roberts			—25

Nays: —0

The Bill:

H. 1131. Pertaining to Sheriffs fees in counties having population of 500,000 or over. To amend Section 34 of Title 11 of the 1940 Code of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts	
Adams	Evans	Lowe	Robison (Montgomery)	
Allen	Gilchrist	McDow	Robison (Pickens)	
Carter	Hawkins	Montgomery	Shelton	
Clark	Hornsby	Oden	Smith	
Cooper	Horton	Reynolds	Tyson	
Dumas	James			—25

Nays: —0

The Bill:

H. 1133. To provide for payment of fees of state witnesses in criminal cases from the general funds of Limestone County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts	
Adams	Evans	McCain	Shelton	
Allen	Givhan	McDow	Smith	
Bentley	Hammond	Montgomery	Taylor	
Brannan	Hawkins	Oden	Tyson	
Carter	Horton	Reynolds	Wilson	
Dumas	Lolley			—25

Nays: —0

The Bill:

H. 1132. Proposing an amendment to the Constitution of Alabama relating to special property taxes in the City of Auburn.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts	
Adams	Gilchrist	Mathews	Robison (Montgomery)	
Allen	Givhan	McCain	Robison (Pickens)	
Carter	Hornsby	McDow	Smith	
Clark	Horton	Montgomery	Tyson	
Cooper	James	Oden	Wilson	
Dumas	Lolley			—25

Nays: —0

The Bill:

H. 1126. To authorize and provide for the establishment, maintenance, operation and financing of a public library in Alabama, in any County having a population of not less than 36,600 nor more than 37,600 according to the Federal census of 1960.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Robison (Pickens)
Adams	Givhan	Mathews	Shelton
Allen	Hammond	McCain	Smith
Bentley	Hornsby	McDow	Taylor
Carter	Horton	Montgomery	Tyson
Cooper	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1178. To propose an amendment to the Constitution of Alabama relating to any public corporation heretofore or hereafter created in any County in the State of Alabama having a population of more than 500,000, according to the last or any subsequent Federal census, for the purpose of establishing, maintaining and operating a civic center in the municipality in which the county seat of such County is situated; to provide that such corporation shall be authorized, without the necessity of any election, to issue bonds, warrants or other evidence of indebtedness and to pledge for the payment of the principal and interest due thereon the revenue received, or to be received by such public corporation and also to pledge for such payment the proceeds derived, or to be derived, from any taxes made payable by the act or acts levying such taxes to the said public corporation, any provision of the Constitution of Alabama to the contrary notwithstanding; to provide that securities issued by such corporation shall not be considered indebtedness of such County or any municipality therein within the meaning of Sections 224 and 225 of the Constitution of Alabama; and to provide that the rent or rentals that the said County or the said municipality may be obligated to pay under the terms of any lease between the said corporation and the County or the said municipality shall not be considered in determining whether the County or the municipality has exceeded the debt limitation prescribed for the County or municipality, as the case may be, by any provision of the Constitution of Alabama.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Allen	Givhan	Mathews	Roberts
Bentley	Hammond	McCain	Robison (Pickens)
Brannan	Hornsby	McDow	Shelton
Carter	Horton	Montgomery	Smith
Clark	James	Oden	Taylor
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1087. Relating to Autauga County; authorizing the county board of revenue to provide office space, and certain equipment and supplies for the board of registrars and other governmental agencies in the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Lowe	Roberts
Brannan	Hammond	Mathews	Robison (Montgomery)
Carter	Hawkins	McDow	Taylor
Clark	Hornsby	Montgomery	Tyson
Cooper	Horton	Oden	Wilson
Eddins	James		

—25

Nays: —0

The Bill:

H. 1088. Relating to Autauga County; requiring the county to pay the premiums on the official bonds of all county officers who hold office by election.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Robison (Pickens)
Allen	Gilchrist	McCain	Shelton
Bentley	Givhan	McDow	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James		

—25

Nays: —0

The Bill:

H. 1156. To permit, and to provide for, the establishment of branch banks in Randolph County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	McCain	Robison (Montgomery)
Allen	Gilchrist	McDow	Smith
Bentley	Givhan	Montgomery	Taylor
Brannan	Hammond	Oden	Tyson
Carter	Hawkins	Reynolds	Wilson
Dumas	James		

—25

Nays: —0

The Bill:

H. 1086. Relating to Autauga County; authorizing additional days of meeting of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Roberts
Allen	Evans	McCain	Smith
Bentley	Givhan	McDow	Taylor
Brannan	Hawkins	Montgomery	Tyson
Carter	Horton	Oden	Wilson
Clark	James		

—25

Nays:

—0

The Bill:

H. 1125. To authorize the establishment of branch banks in counties having a population of not less than 36,600 nor more than 37,600.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Carter	Hornsby	Montgomery	Shelton
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

S. 599. Relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Shelton
Allen	Gilchrist	McCain	Smith
Bentley	Givhan	McDow	Taylor
Brannan	Hammond	Montgomery	Tyson
Carter	Hawkins	Oden	Wilson
Cooper	Hornsby		

—25

Nays:

—0

The Bill:

H. 1210. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; providing for the payment from county funds of travel allowances for members of the county board of equalization; repealing Act No. 215, H. 229, First Special Session 1964 (Acts 1964, p. 297); giving the Act retroactive effect.

was taken up.

Mr. McDow offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 1210

A BILL
TO BE ENTITLED
AN ACT

To apply only in counties having populations of not less than 32,000 nor more than 33,500; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 215, Acts of Alabama 1964, page 297, First Special Session.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 32,000 nor more than 33,500, according to the most recent federal decennial census, the chairman and each member of the county board of equalization shall be entitled to \$5.00 a day for expenses for each day's attendance on meetings of the board as provided by law. The allowance herein provided for shall be in addition to the per diem provided members of the county board of equalization and shall be paid from the general fund of the county.

Section 2. This act shall be given retroactive effect to September 2, 1964.

Section 3. Act No. 215 Acts of Alabama 1964, First Special Session page 297, is hereby repealed.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Carter	Givhan	McDow	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Reynolds	Tyson
Dumas	James		

—25

Nays:

—0

And said Bill, H. B. 1210, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Carter	Givhan	McDow	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Reynolds	Tyson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1135. Relating to counties having populations of not less than 15,400 nor more than 16,000 inhabitants, according to the most recent federal decennial census; providing further for the payment of an expense allowance to coroners of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Robison (Montgomery)
Adams	Evans	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Smith
Brannan	Hawkins	Montgomery	Taylor
Clark	Hornsby	Oden	Tyson
Cooper	Horton	Roberts	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1122. To amend further Section 4 of Act No. 103, H. 363 of the Regular Session of 1953 (Acts of 1953, Vol. I, p. 145) entitled "An Act to establish a City of Dothan Pension and Retirement System," in relation to the handling of the retirement fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Shelton
Carter	Hammond	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1104. To amend Act No. 98, H. 362, approved June 16, 1945, an act relating to the fine and forfeiture fund of Choctaw County (Local Acts 1945, p. 65).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Givhan	McCain	Robison (Montgomery)
Allen	Hammond	McDow	Smith
Bentley	Hornsby	Montgomery	Taylor
Brannan	Horton	Oden	Tyson
Clark	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

S. 590. Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Pickens)
Allen	Givhan	McCain	Shelton
Bentley	Hornsby	McDow	Smith
Carter	Horton	Montgomery	Taylor
Clark	James	Oden	Tyson
Cooper	Lolley	Robison (Montgomery)	Wilson
Evans	Lowe		

—25

Nays:

—0

The Bill:

S. 588. To authorize the court of county commissioners, board of revenue, or other like governing body of Geneva County to reimburse county-resident members of the legislature for certain expenses incurred on official business.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Brannan	Hornsby	Montgomery	Taylor
Carter	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1174. Relating to Bullock County; providing further for the administration and collection of special privilege licenses or excise taxes

levied pursuant to Act No. 176, H. 687, Regular Session 1957, imposing certain duties upon the Court of County Commissioners of said county in reference to the enforcement of such taxes and the collection thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Smith
Bentley	Givhan	McCain	Taylor
Brannan	Hammond	McDow	Tyson
Cooper	Hawkins	Montgomery	Wilson
Dumas	James		

—25

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Eddins, further consideration of the Bills, H. B.'s 1102 and 1103, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1171. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulates their compensation and allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Robison (Montgomery)
Clark	Hammond	McDow	Smith
Cooper	Hornsby	Montgomery	Taylor
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1024. For the relief of Stancil L. Beams and to appropriate the sum of Two Thousand Five Hundred and No/100 (\$2,500.00) Dollars from any funds of Tuscaloosa County, not otherwise appropriated, for the use and benefit of Stancil L. Beams, to compensate him for injuries received while doing work in the Commodity Warehouse in Tuscaloosa, Alabama, on July 17, 1964, and to authorize and require the Board of Revenue or Treasurer of Tuscaloosa County, Alabama, to pay said sum to the said Stancil L. Beams.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Robison (Pickens)	
Bentley	Evans	Lowe	Shelton	
Brannan	Gilchrist	McCain	Smith	
Carter	Hawkins	Montgomery	Taylor	
Clark	Hornsby	Oden	Tyson	
Cooper	Horton	Reynolds	Wilson	
Dumas	James			—25

Nays:

—0

The Bill:

H. 1114. To amend Section 2 of Act No. 18, H. 6, First Special Session 1955, a act creating the Cullman County Commission on Education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Robison (Montgomery)	
Allen	Gilchrist	Mathews	Robison (Pickens)	
Brannan	Hammond	McDow	Shelton	
Carter	Hawkins	Oden	Smith	
Clark	Hornsby	Reynolds	Tyson	
Cooper	Horton	Roberts	Wilson	
Dumas	James			—25

Nays:

—0

The Bill:

H. 1187. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Moulton, Lawrence County, so as to annex certain territory to the town.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds	
Adams	Gilchrist	Mathews	Roberts	
Allen	Hammond	McCain	Robison (Montgomery)	
Bentley	Hornsby	McDow	Smith	
Clark	Horton	Montgomery	Taylor	
Cooper	James	Oden	Tyson	
Dumas	Lolley			—25

Nays:

—0

The Bill:

H. 1192. To alter, extend, and rearrange the boundaries of the municipality of Livingston in Sumter County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lolley	Reynolds
Bentley	Givhan	Lowe	Roberts
Brannan	Hammond	Mathews	Robison (Pickens)
Carter	Hawkins	McCain	Shelton
Clark	Hornsby	McDow	Smith
Cooper	Horton	Montgomery	Wilson
Eddins	James		

—25

Nays:

—0

The Bill:

H. 1101. To apply only in counties of the state having populations of not less than 14,300 nor more than 14,800 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Robison (Pickens)
Allen	Givhan	McDow	Smith
Bentley	Hawkins	Montgomery	Taylor
Carter	Hornsby	Oden	Tyson
Clark	James	Roberts	Wilson
Dumas	Lowe		

—25

Nays:

—0

The Bill:

H. 1105. Relating to counties having populations of not less than 14,000 nor more than 15,000; providing an expense allowance for the superintendent of education of any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Roberts
Adams	Evans	McCain	Robison (Montgomery)
Allen	Gilchrist	McDow	Robison (Pickens)
Bentley	Givhan	Montgomery	Taylor
Clark	Hammond	Oden	Tyson
Cooper	Horton	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

MOTION TO ADJOURN

Mr. Lolley moved that when the Senate adjourns today, it adjourn to meet again on Tuesday, August 17, 1965, at 10 o'clock A. M., which motion was adopted.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1106. Relating to counties having populations of not less than 14,000 nor more than 15,000; providing expense allowances for certain deputy sheriffs of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	McCain	Robison (Montgomery)
Allen	Gilchrist	McDow	Robison (Pickens)
Carter	Givhan	Montgomery	Taylor
Clark	Hawkins	Oden	Tyson
Cooper	Hornsby	Reynolds	Wilson
Dumas	Lolley		—25

Nays:

—0

The Bill:

H. 1109. To increase the compensation of the Clerk of the Circuit Court of Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Shelton
Brannan	Givhan	McCain	Smith
Carter	Hammond	McDow	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		—25

Nays:

—0

The Bill:

H. 1113. Providing expense allowances for the Chairman and Members of the Board of Equalization of Cullman County payable from the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Shelton
Allen	Hornsby	McDow	Smith
Clark	Horton	Oden	Taylor
Cooper	James	Reynolds	Tyson
Dumas	Lolley	Roberts	Wilson
Eddins	Lowe		—25

Nays:

—0

The Bill:

H. 1110. To amend Section 4 of Act No. 167, H. 422, approved September 23, 1959 (Acts 1956, v. 1, p. 690), an act creating a Board of Revenue for Cullman County, so as to provide an expense allowance for the associate members of such board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Hammond	Mathews	Robison (Montgomery)
Allen	Hawkins	McCain	Robison (Pickens)
Bentley	Hornsby	Montgomery	Shelton
Brannan	Horton	Oden	Smith
Carter	James	Reynolds	Taylor
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1112. To provide for the payment of expense allowances to members of the Board of Registrars of Cullman County from county funds.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Smith
Clark	Hammond	McDow	Taylor
Cooper	Horton	Montgomery	Tyson
Dumas	James	Oden	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1120. To amend and extend the corporation limits of the City of Russellville, Alabama.

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the Bill, to-wit:

COMMITTEE SUBSTITUTE TO HOUSE BILL 1120

A BILL TO BE ENTITLED AN ACT

To amend and extend the corporation limits of the City of Russellville, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Russellville, Alabama, are hereby amended and extended to include within said city the following additional territory:

All of the N½ of the NW¼ of Section 28, Township 6 South, Range 11 West. All of the N½ of the NE¼ of Section 28, Township 6 South, Range 11 West. All of the NW¼ of the NW¼ of Section 27, Township 6 South, Range 11 West. All of the S½ of Section 21, Township 6 South, Range 11 West. All of the W½ of SW¼ of Section 22, Township 6 South, Range 11 West.

Section 2. This Act shall take effect upon its passage and approval by the Governor.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Carter	Givhan	McCain	Robison (Pickens)
Clark	Hornsby	McDow	Smith
Cooper	Horton	Montgomery	Tyson
Dumas	James		

—25

Nays:

—0

And said Bill, H. B. 1120, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Carter	Givhan	McCain	Robison (Pickens)
Clark	Hornsby	McDow	Smith
Cooper	Horton	Montgomery	Tyson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1158. To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Bentley	Givhan	McCain	Smith
Carter	Hawkins	McDow	Taylor
Clark	Hornsby	Montgomery	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1201. To apply only in counties having populations of not less than 24,800 nor more than 25,400, according to the most recent federal

decennial census; regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Robison (Pickens)
Allen	Givhan	McDow	Shelton
Bentley	Horton	Oden	Smith
Cooper	James	Reynolds	Taylor
Dumas	Lolley	Roberts	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1208. To amend Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Montgomery	Shelton
Carter	Hawkins	Oden	Wilson
Clark	Lolley		

—25

Nays:

—0

The Bill:

H. 1139. To amend Act No. 207, S. 25 (Special Session, 1961, p. 2185) providing for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 110,000 nor more than 160,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Pickens)
Adams	Hawkins	McCain	Shelton
Allen	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Roberts	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1180. To provide that any city of the State having a population of more than 300,000 according to the last or any subsequent federal census shall have authority to provide for firemen and policemen of the city instruction and training in the disarming, neutralizing or rendering ineffective bombs or other explosives; to provide that any such city shall have the authority to enter into contracts with any person, firm or corporation, or the Federal Government or any State of the Union, or any agency or subdivision of the Federal Government or of any State providing for the city to pay a reasonable amount for instruction or training furnished to firemen and policemen of the city in the disarming, neutralizing or rendering ineffective bombs or other explosives; and to provide that any such city shall have authority to pay the expenses of firemen and policemen incurred in attending schools or courses providing for such instruction or training, and to carry firemen and policemen on a duty status, or pay status, while they are attending any such school or training course, or are en route to and from such school or course.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Shelton
Allen	Givhan	McDow	Smith
Bentley	Hammond	Oden	Taylor
Brannan	James	Reynolds	Tyson
Carter	Lolley	Roberts	Wilson
Dumas	Lowe		

—25

Nays:

—0

The Bill:

H. 1181. To provide that when in any city of the State having a population of more than 300,000, according to the last or any subsequent Federal census, a fireman is assigned, or called upon, by one or more of his superior officers in the fire department to quell a riot, disorder or disturbance or to otherwise preserve the peace, while engaged in such duty he shall have the authority to make arrests conferred upon policemen of the city by the laws of the State of Alabama or by the ordinances of the city, as such laws and ordinances may be amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Robison (Pickens)
Adams	Hammond	Mathews	Shelton
Allen	Hawkins	McDow	Smith
Carter	Hornsby	Montgomery	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Roberts	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1182. To provide that in any city of the State having a population of more than 300,000, according to the last or any subsequent Federal census, an injury sustained by any member of the fire department of the city when he is on duty in said fire department and is engaged in quelling a riot, disorder, or other disturbance, or in otherwise preserving the peace of the city, shall be deemed to be an injury in the line of his duty in the fire department; and to provide that any member of the fire department so injured shall be entitled to the benefits provided by law for a fireman of the city injured in line of duty, and that the widow or dependents of any fireman dying as the result of any such injury shall be entitled to the pension or benefit payable to the widow or dependents of a fireman of such city killed in the line of duty.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Clark	Hammond	Montgomery	Smith
Cooper	Hawkins	Oden	Taylor
Dumas	Hornsby	Reynolds	Tyson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1036. To amend Section 1 of Act No. 143, Acts of Alabama 1963, Volume 1, page 519, relating to the compensation of clerks, deputies and assistants to the circuit clerk of Cherokee County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Hammond	McCain	Shelton
Allen	Hornsby	McDow	Smith
Bentley	Horton	Montgomery	Taylor
Brannan	James	Oden	Tyson
Carter	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1034. To amend Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, to provide that it shall not be a requirement that the person appointed to fill a vacancy in the office of the Judge of the Cherokee County Court be an elector of Cherokee County, Alabama, but to require him to reside within the county during his term of office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Carter	Hammond	McCain	Taylor
Clark	Hornsby	McDow	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays: —0

The Bill:

H. 1035. Relating to Cherokee County; fixing the compensation of certain county officers; further amending Act No. 162, S. 210, Regular Session 1943 (Local Acts 1943, page 78), as amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Robison (Pickens)
Adams	Gilchrist	McCain	Shelton
Allen	Givhan	McDow	Smith
Bentley	Hammond	Montgomery	Taylor
Brannan	James	Oden	Tyson
Carter	Lolley	Robison (Montgomery)	Wilson
Dumas	Lowe		

—25

Nays: —0

The Bill:

H. 1092. Relating to Baldwin County: To regulate further the salaries of the deputies of the sheriff of such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Brannan	Hawkins	McDow	Robison (Pickens)
Clark	Hornsby	Montgomery	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays: —0

The Bill:

H. 1094. Relating to counties having populations of not less than 48,500 nor more than 49,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Robison (Pickens)
Allen	Hammond	Mathews	Shelton
Brannan	Hawkins	McCain	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1095. To provide for compensation of jurors in Baldwin County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Brannan	Gilchrist	McCain	Robison (Pickens)
Carter	Givhan	McDow	Shelton
Clark	Horton	Montgomery	Smith
Cooper	James	Oden	Taylor
Dumas	Lolley	Roberts	Tyson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1159. Proposing an Amendment to the Constitution of Alabama to authorize a district hospital tax in Baldwin County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

was taken up.

Mr. Brannan offered the following amendment to the Bill, to-wit:

Amendment to H. B. 1159

In the proposed constitutional amendment set out in Section 1 of the bill, strike out the words and figures "Precincts 1 through 6" wherever they appear therein and insert in lieu thereof the words "election precincts numbered one through seven"

Also, strike out the last paragraph of the proposed constitutional amendment and insert in lieu thereof the following:

"As used in this article, the term "election precincts" means the election precincts or beats of the county as they existed on July 27, 1965."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Brannan	Eddins	Givhan
Adams	Cooper	Evans	Hammond
Allen	Dumas	Gilchrist	Hornsby

James	McDow	Robison (Montgomery)	Smith	
Lowe	Oden	Robison (Pickens)	Tyson	
Mathews	Reynolds	Shelton	Wilson	
McCain	Roberts			—25

Nays: —0

And said Bill, H. B. 1159, as thus amended, was then read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)	
Adams	Gilchrist	McCain	Robison (Pickens)	
Allen	Givhan	McDow	Shelton	
Brannan	Hammond	Oden	Taylor	
Clark	Hornsby	Reynolds	Tyson	
Dumas	James	Roberts	Wilson	
Eddins	Lowe			—25

Nays: —0

The Bill:

H. 992. Regulating the compensation of registrars of Escambia County, and providing for payment of additional compensation by the County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)	
Adams	Gilchrist	McCain	Robison (Pickens)	
Allen	Givhan	McDow	Smith	
Bentley	Hammond	Oden	Taylor	
Brannan	Hawkins	Reynolds	Tyson	
Carter	Hornsby	Roberts	Wilson	
Clark	Lowe			—25

Nays: —0

The Bill:

H. 991. Relating to Escambia County, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)	
Adams	Gilchrist	McCain	Shelton	
Allen	Givhan	Montgomery	Smith	
Bentley	Horton	Oden	Taylor	
Brannan	James	Reynolds	Tyson	
Dumas	Lolley	Roberts	Wilson	
Eddins	Lowe			—25

Nays: —0

The Bill:

H. 990. Relating to Escambia County; regulating the placing, leaving, or dumping of garbage, refuse, rubbish, trash or debris along the public roads in such county; providing for the orderly deposit and disposal thereof; prescribing penalties; and placing certain duties on and granting certain powers and authority to the county governing body relative to providing for the orderly deposit and disposal of garbage, refuse, rubbish, trash, and debris.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Pickens)
Brannan	Givhan	McCain	Shelton
Clark	Hammond	McDow	Smith
Cooper	Hawkins	Oden	Taylor
Dumas	James	Roberts	Tyson
Eddins	Lolley	Robison (Montgomery)	Wilson
Evans	Lowe		

—25

Nays:

—0

The Bill:

H. 989. To fix the compensation of certain deputy sheriffs of Escambia County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Roberts
Adams	Hawkins	McCain	Shelton
Allen	Hornsby	McDow	Smith
Bentley	Horton	Montgomery	Taylor
Brannan	James	Oden	Tyson
Clark	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1162. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lolley	Oden
Adams	Givhan	Lowe	Roberts
Brannan	Hammond	Mathews	Robison (Montgomery)
Carter	Hawkins	McCain	Robison (Pickens)
Clark	Hornsby	McDow	Shelton
Cooper	Horton	Montgomery	Smith
Eddins	James		

—25

Nays:

—0

The Bill:

H. 1193. Proposing an amendment to the Constitution of Alabama relating to Livingston in Sumter County, and ordering an election thereon.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Mathews	Roberts
Adams	Hawkins	McCain	Robison (Montgomery)
Allen	Hornsby	McDow	Smith
Carter	Horton	Montgomery	Taylor
Clark	James	Oden	Tyson
Eddins	Lolley	Reynolds	Wilson
Evans	Low		

—25

Nays:

—0

The Bill:

H. 1194. Proposing an amendment to the Constitution of Alabama relating to Sumter County, and ordering an election thereon.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Bentley	Gilchrist	Mathews	Shelton
Brannan	Givhan	McCain	Smith
Carter	Hammond	McDow	Taylor
Clark	Hawkins	Montgomery	Tyson
Cooper	Hornsby	Reynolds	Wilson
Dumas	Horton		

—25

Nays:

—0

The Bill:

H. 1138. To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Pickens)
Adams	Gilchrist	McCain	Shelton
Allen	Givhan	McDow	Smith
Bentley	Hammond	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Roberts	Wilson
Eddins	Low		

—25

Nays:

—0

The Bill:

H. 1205. To amend Section 1 of Act No. 173, H. 152, Regular Session 1961 (Acts 1961, p. 217), an act entitled "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000", so as to regulate further the per diem and the maximum amount of compensation payable to members of such jury commissions.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Oden
Adams	Dumas	Lowe	Roberts
Allen	Evans	Mathews	Robison (Montgomery)
Bentley	Gilchrist	McCain	Shelton
Brannan	Givhan	McDow	Taylor
Carter	Hammond	Montgomery	Wilson
Clark	Hornsby		

—25

Nays:

—0

The Bill:

H. 1206. To provide an expense allowance for the judges of probate in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Robison (Pickens)
Bentley	Evans	McCain	Shelton
Brannan	Givhan	McDow	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Horton	Reynolds	Tyson
Cooper	James	Roberts	Wilson
Dumas	Lolley		

—25

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Roberts, further consideration of the Bill, H. B. 1213, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED**The Bill:**

H. 1207. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Taylor
Carter	Hawkins	Montgomery	Tyson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1137. To confer discretionary authority upon the Board of Commissioners of Madison County to appropriate from the general funds of the county sums of money, not to exceed five hundred dollars, for the payment of certain equitable and moral claims against the county, as the board may from time to time determine.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Shelton
Allen	Gilchrist	Mathews	Smith
Carter	Givhan	McCain	Taylor
Clark	Hawkins	McDow	Tyson
Cooper	Horton	Reynolds	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1189. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama 1955, (Vol. 1, p. 515), approved August 3, 1955, entitled "an Act to provide further for the compensation of the Circuit Solicitor in Circuits composed of one County and having not less than four nor more than nine Circuit Judges", as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. 1, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940, and as further amended by Act 117, H. 130, Acts of Alabama, 1964, approved August 24, 1964, page 177.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Robison (Montgomery)
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Montgomery	Smith
Carter	Horton	Oden	Tyson
Clark	James		

—25

Nays:

—0

The Bill:

H. 1145. Relating to the powers of cities having populations of not less than 200,000 and not more than 300,000 according to the most recent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances to permit certain commissions for the preservation and protection of the historic architectural character of the city and the promotion of historic districts as tourist attractions, to provide certain outdoor dining facilities in connection with such promotion; amending Section 3 of Act No. 356, H. 627, Regular Session 1963 (Acts 1963, p. 855).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hornsby	Reynolds
Adams	Dumas	Lowe	Roberts
Allen	Evans	Mathews	Robison (Montgomery)
Bentley	Gilchrist	McCain	Shelton
Brannan	Givhan	McDow	Smith
Carter	Hammond	Oden	Tyson
Clark	Hawkins		

—25

Nays:

—0

The Bill:

H. 1121. To provide for the assessment, collection, amount and use of additional taxes or fees as items of court costs in cases docketed in certain courts in Houston County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Montgomery)
Adams	Gilchrist	McDow	Robison (Pickens)
Carter	Hornsby	Montgomery	Smith
Clark	Horton	Oden	Taylor
Cooper	James	Reynolds	Tyson
Dumas	Lolley	Roberts	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 145. To amend further Section 14 of Act No. 40, S. 4, Special Session 1956, an act which created and established the Court of General Sessions of Mobile County (Acts 1956, p. 328).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Oden
Adams	Dumas	Lolley	Robison (Montgomery)
Allen	Eddins	Mathews	Shelton
Bentley	Gilchrist	McCain	Smith
Brannan	Givhan	McDow	Taylor
Carter	Hammond	Montgomery	Tyson
Clark	Hawkins		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 442. Relating to the Inferior Court of Geneva County: withdrawing and taking away the equity jurisdiction of the court, and providing for transfer of pending cases.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 602. Relating to the recorders courts of cities having populations of not less than 200,000 nor more than 300,000; to provide for the qualifications, election, term, compensation, powers and duties of the judge of such court; to authorize and provide for officers for said court, and provide for their selection, tenure and compensation.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO S. B. 602

Strike out Sections 1 and 2 of the bill entirely and insert in lieu thereof the following:

Section 1. In all cities having populations of not less than 200,000 nor more than 300,000, according to the most recent federal decennial census, which operate under a commission form of government where all the commissioners are elected at one and the same time, the recorder's court shall be known as and called "The City Court of _____, Alabama"; and a judge of the city court shall be elected by the qualified electors of the city at the same time members of the city commission are elected, for a term to run concurrently with the term of members of the city commission. The judge of the city court must be a qualified elector of the city, learned in the law, and a resident of the city at the time of his election and during his continuance in office. He shall devote as much time to the office as may be necessary to perform the duties thereof, but he shall not be required to devote his entire time to the office.

Section 2. Immediately after this Act becomes applicable to any city, the city commission shall call and provide for holding a special election for judge of the city court. The election shall be held contemporaneously with the next regular primaries for nominating candidates for state and county offices. Candidates for election as judge of the city court shall file declarations of candidacy with the city clerk by the first day of March next before the election. In the event no candidate receives a majority of the votes cast at the election, there shall be held a run-off election on the fourth Tuesday following the first election, at which the two candidates who received the highest number of votes in the first election shall be the only candidates to be voted on. The candidate who receives the most votes in the run-off election shall be the one elected as judge. The judge so elected shall take office on the first day of the second month next following his election and shall hold his office until the expiration of the terms of office of the then-incumbent members of the city commission. His successors shall be elected and hold office as provided in Section 1.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Montgomery	Tyson
Carter	Hawkins	Reynolds	Wilson
Cooper	Hornsby		—25

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Montgomery	Tyson
Carter	Hawkins	Reynolds	Wilson
Dumas	Hornsby		—25

Nays:

—0

The Bill:

H. 1163. To regulate further the meeting days and compensation of the county boards of registrars in all counties having populations of not less than 48,200 nor more than 49,200 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Shelton
Allen	Gilchrist	McCain	Smith
Brannan	Hornsby	McDow	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		—25

Nays:

—0

The Bill:

H. 1015. To amend Section 10, of Act No. 934 approved September 9, 1961, General Acts of Alabama, 1961, Vol. II, page 1506, entitled:

"To provide for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census; to more fully define the duty, authority and responsi-

bility of the Tax Assessor of such counties in the matter of equalizing assessments of real property within such counties; to provide for the division of such counties into districts for the purpose of tax assessment records; to require that certain records be kept and maintained on a current basis by the Tax Assessor of such counties; to describe the manner in which such records are to be kept; to provide a time within which the equalization program required herein is to be initially completed; to provide for a continuous program of appraisal of real property within such counties; to provide for the assessments of improvements to real property within such counties; to prescribe penalties for failure to assess, or properly assess, improvements to real property within such counties; to prohibit the remittance of any such penalties except as provided for by this Act; to provide for the publishing of reports of the progress of the carrying out of the provisions of the Act; to provide for a portable set of assessment records for use by appraiser appointed by the Tax Assessor; to define the duties of the Board of Equalization in such counties in the matter of the equalization of assessments of real property; to provide that no outstanding obligations against the proceeds of any tax derived from assessments of real properties in such counties shall be impaired by the provisions of this Act; to provide for appeals of any assessment made by the Tax Assessor or ruling of the Board of Equalization of such counties; to provide for the necessary personnel, supplies, materials, and equipment to carry out the provisions of this Act and to provide the manner in which personnel are to be appointed in such counties; to provide for the severability of the provisions of the Act; to repeal all laws or parts of laws in conflict with the provisions of this Act."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Roberts
Brannan	Hawkins	McCain	Robison (Montgomery)
Carter	Hornsby	McDow	Robison (Pickens)
Clark	Horton	Montgomery	Shelton
Cooper	James	Oden	Smith
Dumas	Lolley	Reynolds	Tyson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

S. 587. Relating to counties having populations of not less than 300,000 nor more than 600,000 and to counties contiguous to any county having such population; providing for the control and abatement of arthropods in such counties; creating and establishing an Arthropod Control Board for each such county, and prescribing its powers and duties; providing for the qualifications, appointment, terms, and compensation of the members of such Boards and a director thereof.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO S. B. 587

Amend S. B. 587 by renumbering Sections 8, 9, and 10 of said bill so as to be Sections 9, 10, and 11, respectively, and inserting the following Section 8:

"Section 8. In any county having an Arthropod Control Board, the county governing body and the governing body of any city or town in the county may appropriate funds not otherwise appropriated, for the use of the Board in carrying out the purposes and provisions of this Act."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Roberts
Allen	Evans	Mathews	Robison (Montgomery)
Bentley	Gilchrist	McCain	Robison (Pickens)
Carter	Givhan	McDow	Tyson
Clark	Horton	Oden	Wilson
Cooper	James		

—25

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Roberts
Allen	Evans	Mathews	Robison (Montgomery)
Bentley	Gilchrist	McCain	Robison (Pickens)
Carter	Givhan	McDow	Tyson
Clark	Horton	Oden	Wilson
Cooper	James		

—25

Nays:

—0

The Bill:

H. 1118. Relating to Fayette County; further regulating the compensation of the county superintendent of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hammond	Montgomery	Shelton
Carter	Hawkins	Oden	Smith
Clark	Hornsby	Reynolds	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1119. Relating to Fayette County; further regulating the compensation of members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Brannan	Gilchrist	Mathews	Robison (Montgomery)
Carter	Givhan	McDow	Robison (Pickens)
Clark	Hornsby	Montgomery	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1078. To amend Section 5 of Act No. 56 of the regular session of the Legislature of Alabama of 1953, as amended by Act No. 290 of the regular session of the Legislature of Alabama of 1959, approved October 30, 1959, being an Act levying additional privilege or license taxes in Tuscaloosa County, by adding an additional penalty for failure to make reports as required therein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Robison (Montgomery)
Adams	Evans	Lowe	Shelton
Allen	Gilchrist	McCain	Smith
Brannan	Givhan	Oden	Taylor
Carter	Hammond	Reynolds	Tyson
Clark	Horton	Roberts	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1025. Relating to the office of commissioner of licenses in counties having populations of not less than 100,000, nor more than 115,000; amending Act No. 930, S. 1380, Regular Session 1961, so as to require the filing of transfer of ownership of motor vehicles; prescribing penalties for violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Robison (Pickens)
Adams	Evans	McCain	Shelton
Allen	Gilchrist	McDow	Smith
Bentley	Givhan	Montgomery	Taylor
Clark	Hammond	Oden	Tyson
Cooper	Hawkins	Reynolds	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

S. 374. To authorize the director of finance to transfer title to certain personal property of the Alabama Civil War Centennial Commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Lolley	Robison (Montgomery)
Adams	Dumas	Lowe	Robison (Pickens)
Allen	Eddins	Mathews	Shelton
Bentley	Evans	McCain	Smith
Brannan	Givhan	McDow	Taylor
Carter	Hawkins	Montgomery	Tyson
Clark	James	Reynolds	Wilson

—27

Nays:

—0

The Bill:

H. 202. To amend Section 119 of Title 5, Code of Alabama, 1940.
was taken up.

Mr. Dumas offered the following substitute for the Bill, to-wit:
Substitute for House Bill No. 202

A BILL
TO BE ENTITLED
AN ACT

To amend Section 119 of Title 5, Code of Alabama, 1940.

Be It Enacted by the Legislature of Alabama, as follows:

Section 1. Code of Alabama, 1940, Title 5, Section 119, is amended to read as follows:

"Section 119. Any bank is authorized to pledge acceptable assets as security for the deposits of United States postal savings funds; or as security for deposits of public funds, heretofore or hereafter made, by any political subdivision of the State or any agency or other governmental instrumentality of such subdivision including any county, municipal corporation, county, city or other public board of education, including any custodian or treasurer of county, city or other public school funds, any improvement authority heretofore or hereafter incorporated under Title 50, Code of Alabama, 1940, or any public corporation including each board, authority or district heretofore or hereafter organized or created in this State pursuant to authorization or determination by any municipality or municipalities or by any county or counties or the governing body of any one or more thereof. The word 'deposits' as used in this section means deposits of all kinds including, without limiting the generality of the foregoing, deposits in savings accounts, deposits in checking accounts, deposits in special trust funds, demand deposits, special deposits, time deposits on which interest is to be paid and deposits for which a bank has issued its certificates of deposit."

Section 2. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Section 3. This act is intended to be remedial and declarative of existing law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Robison (Montgomery)
Adams	Eddins	Lowe	Robison (Pickens)
Allen	Evans	Mathews	Shelton
Bentley	Gilchrist	McCain	Smith
Brannan	Givhan	McDow	Taylor
Carter	Hawkins	Reynolds	Tyson
Clark	Horton	Roberts	Wilson
Cooper	James		

—29

Nays:

—0

And said Bill, H. B. 202, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Robison (Montgomery)
Adams	Evans	Lowe	Robison (Pickens)
Allen	Gilchrist	Mathews	Shelton
Bentley	Givhan	McDow	Smith
Brannan	Hammond	Montgomery	Taylor
Carter	Hawkins	Reynolds	Tyson
Cooper	Horton	Roberts	Wilson
Dumas	James		

—29

Nays:

—0

The Bill:

H. 1123. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing each municipality in the state to issue revenue bonds for the purpose of enlarging, improving or expanding any manufacturing, industrial or commercial project then owned by such municipality and acquired by it pursuant to the provisions of Act No. 756 (1951 Regular Session), as heretofore amended, or for the combined purpose of so enlarging, improving or expanding any such project and of refunding any revenue bonds theretofore issued by it under said Act No. 756, and providing that no such bonds shall be deemed to constitute bonds or indebtedness of the municipality by which they are issued within the meaning of Sections 222 and 225 of the Constitution if by their terms they are not made a charge on the general credit or tax revenues of such municipality and are made payable solely out of revenues to be derived by such municipality from the leasing of such project as so enlarged, improved or expanded.

Was read a third time at length as required by the Constitution and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	James	Robison (Pickens)
Adams	Eddins	Lolley	Shelton
Allen	Evans	McCain	Smith
Bentley	Gilchrist	McDow	Taylor
Brannan	Givhan	Montgomery	Tyson
Carter	Hawkins	Reynolds	Wilson
Clark	Horton	Roberts	

—26

Nays:

—0

The Bill:

H. 9. Making an appropriation from the state treasury for the relief of James L. Campbell of Louisville, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Robison (Montgomery)	
Adams	Evans	McCain	Robison (Pickens)	
Allen	Gilchrist	McDow	Shelton	
Brannan	Givhan	Montgomery	Smith	
Carter	James	Reynolds	Taylor	
Clark	Lolley	Roberts	Tyson	
Cooper	Lowe			—25

Nays:

—0

The Bill:

H. 1019. Relating to the development of the Elk River Watershed area; creating the Elk River Development Agency as an agency of the State of Alabama for such purpose; providing for its incorporation as a public body corporate; prescribing its authority, powers, duties, functions, and management; authorizing the agency to issue bonds, and the counties of Lauderdale and Limestone and municipalities therein to contribute funds and levy taxes for its use.

was taken up.

Mr. Horton offered the following amendment to the Bill, to-wit:

Amendment to H. B. 1019

Amend Section 5, sub-section (c) by adding to the end of sub-section (c) the following:

"Nothing herein shall be construed to authorize the acquisition by eminent domain of any real property or rights owned or controlled by railroads or utilities, both public or private."

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	James	Shelton	
Adams	Gilchrist	Lolley	Smith	
Allen	Givhan	Lowe	Taylor	
Bentley	Hawkins	McCain	Tyson	
Brannan	Hornsby	McDow	Wilson	
Clark	Horton	Robison (Pickens)		—22

Nays:

—0

And said Bill, H. B. 1019, as thus amended, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	James	Reynolds
Adams	Evans	Lolley	Robison (Montgomery)
Allen	Gilchrist	Lowe	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hawkins	McDow	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Oden	Wilson
Dumas			—28

Nays:

—0

The Bill:

H. 1020. Proposing an amendment to the Constitution of Alabama relating to the formation of bodies corporate for the development of watershed areas.

Was read a third time at length as required by the Constitution and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Eddins	James	Reynolds
Adams	Evans	Lolley	Robison (Montgomery)
Allen	Gilchrist	Lowe	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hawkins	McDow	Smith
Cooper	Hornsby	Montgomery	Taylor
Dumas	Horton	Oden	Wilson
			—27

Nays:

—0

The Bill:

H. 914. To regulate going out of business and distress merchandise sales; providing for licensing such sales; providing for enforcement of the Act and prescribing penalties for violation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	James	Reynolds
Adams	Evans	Lolley	Roberts
Allen	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Givhan	McCain	Smith
Carter	Hawkins	McDow	Taylor
Clark	Hornsby	Oden	Wilson
Cooper	Horton		—25

Nays:

—0

The Bill:

H. 972. To require the installation and maintenance of an improved system of indexing and recording documents affecting the title to

property and other documents and recorded in the office of the Judge of Probate of any county having a population of not less than 125,000 nor more than 200,000 inhabitants according to the last or any subsequent federal census; to provide that said system shall constitute official and permanent records in each such county; to provide for a special recording fee of \$1.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in each such county; to provide for financing the initial installation of said system out of the said special recording fees and by the sale and issuance by each such county of its interest bearing warrants in anticipation of and payable solely out of said special recording fees; to require each such county to issue such warrants in an amount sufficient, when added to said special recording fees then on hand, to pay the costs of such initial installation; to authorize each such county to issue warrants in anticipation of and payable solely out of said special recording fees for the purpose of refunding any warrants issued hereunder; to authorize said special recording fees to be pledged for payment of the principal of and interest on any warrants issued hereunder; to provide that such warrants and the income therefrom shall be exempt from taxation and that such warrants may be used for investment of trust funds.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Mathews	Robison (Montgomery)
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 18. Recognizing the contributions made to the State of Alabama by the Gulf States Paper Corporation.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 949. Relating to counties having populations of not less than 31,500 nor more than 33,500; regulating further the insuring of certain public buildings in such counties, together with the equipment, furniture, fixtures, and other property in such buildings.

Also:

H. 469. To apply in Coosa County; regulating further the taking of fish from public streams and impounded waters; authorizing the use of baskets and to provide for a privilege license tax on same.

Also:

H. 912. To amend Sections 207, 208, and 218, of Title 22 and to add Section 207(1) to Title 22 of the Code of Alabama of 1940, as amended, relating to Milk Control Board.

Also:

H. 53. To provide for and regulate salaries payable to officers and employees of the State Board of Health, amending Code of Alabama 1940, Title 22, Section 9, and repealing laws in conflict therewith.

Also:

H. 823. To provide for a program for education in the field of library science; authorizing the use of funds available to the Alabama Public Library Service under the State Plan pursuant to the federal "Library Services and Construction Act," as amended, for awarding such grants.

Also:

H. 716. To amend Section 2 of Act No. 793, S. 117, Regular Session 1953, an act establishing the maximum rate which newspapers may charge for the publication of legal notices.

Also:

H. 715. To amend further Code of Alabama 1940, Title 7, Section 718, which relates to the rates to be charged for publication of legal notices.

Also:

H. 22. To clarify and codify the common law with respect to the duty of care owned by landowners towards persons who may be upon their premises for hunting, fishing, sporting or recreational purposes and not for purposes connected with the landowner's business.

Also:

H. 772. Relating to the tenth judicial circuit; providing for the appointment, duties, and compensation of two additional deputy circuit solicitors in such circuit.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 141. Relative to expressing regret upon the death of Dr. A. M. Gowan of Brewton.

Also:

H. J. R. 143. Relative to extending best wishes to Miss Linda Folsom who will represent Alabama in the "Miss America Contest".

Also:

H. J. R. 144. Relative to the organization of a special committee to investigate the constructing of a building for the use of the Legislature.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 442. Relating to the Inferior Court of Geneva County; withdrawing and taking away the equity jurisdiction of the court, and providing for transfer of pending cases.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 474. To provide an expense supplement for the circuit solicitor of the Fourth Judicial Circuit of Alabama, payable from the solicitor's fund.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 473. To authorize and provide for stenographic service to the judges of the Fourth Judicial Circuit, the solicitor of such circuit and the judge of the Dallas County Court; to provide for the employment of a stenographer to furnish such service whose compensation shall be payable from the circuit court's contingent fund.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 923. To create an inferior court for Franklin County in lieu of the county court, defining its jurisdiction, providing for its officers and prescribing their powers and duties, and abolishing the county court.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 8. Defining and regulating the practice of physical therapy; providing for examination and licensing of physical therapists; providing for the appointment of a Board of Physical Therapy; providing for the enforcement of the provisions of this Act; and prescribing penalties and fees.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Burns, Nabors and Owens:

H. 1242. To provide further for funds for the maintenance and operating of the Law Library of Etowah County; to impose trial taxes on certain litigation in Etowah County and provide for the proceeds thereof to be paid into the Etowah County Law Library Fund.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide further for funds for the maintenance and operating of the Law Library of Etowah County; to impose trial taxes on certain litigation in Etowah County and provide for the proceeds thereof to be paid into the Etowah County Law Library Fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In order to provide further for the special fund for the maintenance of the Law Library of Etowah County, which was established pursuant to Act No. 197, H. 596 of the Regular Session of 1955 (Acts of 1955, vol. 1, p. 485), there shall be taxed as cost the sum of one dollar and fifty cents (\$1.50) in each civil or quasi-civil action at law, suit in equity, criminal case, quasi-criminal case, proceeding on a forfeited bond or proceedings on a forfeited bond given in connection with an appeal from a judgement of conviction in any inferior or municipal court to the circuit court hereinafter filed in, arising in or brought court to the circuit court hereinafter filed in, arising in or brought by appeal, certiorari or otherwise to the circuit court of Etowah County, which costs shall be collected as other costs in such cases are collected by the clerk of the court or the register thereof, as the case may be, and shall be paid into the special fund, designated the "Etowah County Law Library Fund," established pursuant to said Act. No. 197 of the Regular Session of 1955.

Section 2. There shall also be taxed as costs the sum of one dollar (\$1.00) in each criminal case hereafter filed in the Etowah County Court, and in each civil case hereafter filed in said Etowah County Court, which costs shall be collected as other costs in such cases are collected and when collected by the clerk of the court shall be paid by him into the special fund, designated the "Etowah County Law Library Fund", established pursuant to said Act No. 197 of the Regular Session of 1955.

Section 3. The said items of cost above referred to shall be designated in the respective courts as "Law Library Fee" and when any part of the costs in such a case or proceedings shall have been paid the amount necessary for the payment of said fee shall be applied thereto before applying any of the amount paid as costs to any other item of cost. On or before the tenth day of each month, the clerks of the respective courts (including the register) shall pay into the Etowah County Law Library Fund the amounts collected for law library fees during the previous month.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective upon the ratification of an Amendment to the Constitution authorizing the legislature to impose a trial tax or other charge on litigation in Etowah County.

STATE OF ALABAMA)
ETOWAH COUNTY)

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared Ollie Wright, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv. Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of A Bill which notice was printed in The Gadsden Times in its regularly circulated editions on July 6, 13, 20, 27, 1965, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 5th day of Aug., 1965.

OLLIE WRIGHT.

Subscribed and sworn to before me on this the 5th day of Aug., 1965.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

Also:

By Messrs. Nabors, Burns and Owens:

H. 1243. To provide further for the selection of textbooks and instructional materials for use in the public schools in Etowah County.

Also:

By Mr. Faulk:

H. 1247. Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
GENEVA COUNTY

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the court of county commissioners, board of revenue, or like governing body of Geneva County, except the two thousand four hundred dollars (\$2,400.00) per annum, payable in equal monthly installments out of the county treasury. In addition, members of the governing body other than the chairman or other presiding officer shall receive an allowance of one hundred fifty dollars (\$150.00) per month, payable out of the county treasury, as reimbursement for expenses incurred by them in the performance of their duties as members of the county governing body. The compensation provided by law; and shall be payable out of any money in the county treasury which has been designated and set apart therefor by the court of county commissioners, board of revenue or other governing body, in its discretion, governing body, in its discretion, may provide for the payment of a part or portion of the salaries and expense allowances to the members out of the county gasoline tax revenue, provided that the part or portion of each commissioner's salary, which is paid out of the county, gasoline tax revenue, bears the same ratio to such member's total salary that the part or portion of the time spent by such member in the discharge of his duties in inspecting, accepting, building, repairing or supervising any of the county roads or bridges bears to the full time devoted by such members to the discharge of the duties of his office, and the part or portion of the expense allowance of each member which is paid out of the county gasoline tax revenue bears the same ratio to the total expense allowance paid each member that the expenses incurred by such member in connection with the discharge of his duties in inspecting, accepting, building, repairing or supervising any of the county roads or bridges bears to the total expense allowance paid to such member. Provided, further, that such use of gasoline tax revenues shall be in accordance with and subject to all provisions of Title 51, Section 655, Code of Alabama 1940, as amended. The chairman or other presiding officer of the court of county commissioners, board of revenue, or like governing body of Geneva County shall continue to receive the same compensation as the chairman or other presiding officer of county governing bodies under the general law.

Section 2. This Act shall become effective upon the expiration of the term or terms of the incumbent member or members whose term or terms expire first.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA

Geneva County

I, Orsen Spivey, Publisher of The Samson Ledger, a weekly newspaper published in Samson, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of Four consecutive weeks, commencing July 15, 1965, and ending Aug. 5, 1965.

WITNESS my hand this 5 day of August, 1965.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 5 day of Aug., 1965.

KAROL L. FLEMING,
Notary Public.

Also:

By Messrs. Hannah and Boston:

H. 1249. Relating to counties having populations of not less than 60,500 nor more than 65,000; providing that minutes of meetings, and any information, document, record, or statement disclosed or made at such meetings, of the medical staff and certain committees thereof of any hospital in any such county shall be privileged communications and not subject to use as evidence in civil actions or proceedings.

Also:

By Mr. Daniel:

H. 1253. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Sweet Water in Marengo County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

**NOTICE OF INTENTION TO
APPLY FOR LOCAL LAW**

The following bill will be introduced at the present session of the Legislature of Alabama, and application for its passage and enactment will be made to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Sweet Water in Marengo County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the present boundary and corporate limits of the Town of Sweet Water in Marengo County, Alabama, are hereby altered, rearranged and extended so as to include (in addition to the lands already embraced in the said Town Limits) the following described lands not heretofore embraced and incorporated within the Town Limits of the Town of Sweet Water in Marengo County, Alabama:

The $W\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 10; the $NE\frac{1}{4}$ of $NW\frac{1}{4}$, and $W\frac{1}{2}$ of $NW\frac{1}{4}$ of $NE\frac{1}{4}$; the $SW\frac{1}{4}$ of $NW\frac{1}{4}$, and the $NW\frac{1}{4}$ of $SW\frac{1}{4}$, Section 14; the $NE\frac{1}{4}$ of the $SE\frac{1}{4}$, Section 15, less a strip 310 feet wide off the West side thereof, and the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$, and the $SE\frac{1}{4}$ of the $NW\frac{1}{4}$, Section 15, less a strip 200 feet wide off the West side thereof, all being in Township 13 N. Range 2 East, Marengo County, Alabama.

Section 2. All laws and parts of laws in conflict with the provision of this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Affidavit of Publication

**THE STATE OF ALABAMA,
MARENGO COUNTY.**

Before me, the undersigned authority in and for said State and County, personally appeared GOODLOE SUTTON, who is known to me, and who being by me first duly sworn, deposes and says:

That he is the publisher of The Democrat-Reporter, a newspaper published at Linden, in Marengo County, Alabama, and that the said Democrat-Reporter is printed in said Marengo County, Alabama, and is of general circulation in said County, and has been mailed under a Second Class mailing privilege at the United States Post Office at Linden, Alabama, regularly each and every week for a period of more than fifty-two (52) consecutive weeks prior to the publication of the Legal Notice, or Advertisement, copy of which is hereto attached, and further that said Legal Notice, or Advertisement, was published in said newspaper, THE DEMOCRAT-REPORTER, for 4 consecutive weeks, to-wit:—
in the issues dated:

July 15, 1965

July 22, 1965

July 29, 1965

August 5, 1965

and that each of above specified issues was duly circulated among the subscribers of said newspaper.

GOODLOE SUTTON,
Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this, the 5th day of August, 1965.

J. C. CAMP,
Notary Public.

My Commission expires 8-1, 1967.

Also:

By Messrs. Slate and Brewer:

H. 1259. To confer additional powers and authority upon the recorder of the City of Decatur in relation to remission of fines and costs, suspension of sentences, and granting of pardons and paroles.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MORGAN**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To confer additional powers and authority upon the recorder of the City of Decatur in relation to remission of fines and costs, suspension of sentences, and granting of pardons and paroles.

Be It Enacted by the Legislature of Alabama:

Section 1. The recorder or judge of the recorder's court of the City of Decatur shall have the same powers and authority as that possessed by the mayor in regard to remission of fines and costs, suspension of sentences, and granting of pardons and paroles as prescribed in Code of Alabama 1940, Title 37, Section 599, and may exercise such powers as therein provided in any case involving the violation of a bylaw or ordinance of the City of Decatur.

Section 2. If a part of this Act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of the Act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17th, June 24th, July 1st, and July 8th, all in the year 1965.

B. C. SHELTON, JR.

Sworn to and subscribed before me July 9th, 1965.

R. H. JERVIS,
Notary Public.

Also:

By Mr. Faulk:

H. 1263. Relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Also:

By Mr. Fite:

H. 1264. Relating to admissibility of evidence in civil actions in the courts of all counties having populations of not less than 20,050 nor more than 21,850, according to the most recent federal decennial census; to require persons taking or having possession of written statements with respect to accidents or injuries relative to which civil actions may be filed in the courts of such counties to furnish copies thereof to the person making such statements and prescribing the effect of failure to furnish copies in accordance with the provisions of this Act.

Also:

By Mr. Stembridge:

H. 1265. To amend Act No. 379, H. 866 of the Regular Session of 1963, which relates to counties having populations of not less than 50,000 nor more than 54,000 and provides further for designation and alteration

of election precincts and districts, voting places and voting centers therein and the conduct of elections; amending the Title and Sections 1, 2, 3, 4, and 9 of such act.

Also:

By Messrs. Vacca, Bowers, Morrow, Etheredge, Collins (Jefferson), Bailes, Meeks, Locke, Sessions, Dominick, Rast, Hawkins, Bethea (B), Bethea (M) and Gilmore:

H. 1262. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of the Regular Session of the Legislature of Alabama of 1951, pages 1571 et seq.) as heretofore amended.

Also:

By Messrs. Rogers, McDermott and Engel:

H. 1256. Relating to counties having populations of not less than 300,000 nor more than 600,000 and to counties contiguous to any county having such population; providing for the control and abatement of arthropods in such counties; creating and establishing an Arthropod Control Board for each such county, and prescribing its powers and duties; providing for the qualifications, appointment, terms, and compensation of the members of such Boards and a director thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 1242, 1243, 1247, 1249, 1253, 1259, 1263, 1265, 1262 and 1256. To the Committee on Local Legislation.

H. B. 1264. To the Committee on Banking.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 277. To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit.

Also:

S. 278. To provide an expense allowance for the solicitor of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit.

Also:

S. 291. To provide further for the payment and retirement of certain claims against the fine and forfeiture funds of counties having populations of not less than 51,000 nor more than 55,000 according to the most recent federal decennial census, providing for the payment and retirement of witness' fees in certain criminal cases out of the general funds of such counties.

Also:

S. 511. To provide a clerk hire allowance for the judges of probate of all counties having populations of not less than 26,000 nor more than 27,000, according to the most recent federal decennial census.

Also:

S. 512. To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 26,000 nor more than 27,000, according to the most recent federal decennial census.

Also:

S. 516. Relating to counties having a population of not less than 60,500 nor more than 65,000 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Also:

S. 522. To amend further Section 1, Act No. 501, S. 399, Regular Session 1957, an act regulating the compensation of the judge of probate of Madison County.

Also:

S. 523. To amend further Section 3, Act No. 661, H. 1077, Regular Session 1957, the act creating the Madison County Court, in relation to the compensation of the judge of said court.

Also:

S. 528. To amend further Section 2 of Act No. 155, H. 296, Regular Session 1953 (Acts 1953, v. I, p. 197), an Act relating to the duties and compensation of county commissioners of Bullock County, so as to provide a mileage allowance for such commissioners.

Also:

S. 529. Relating to Bullock County; fixing the terms of office of the members of the court of county commissioners.

Also:

S. 530. To amend Section 2 of Act No. 18, H. 6, First Special Session 1955, an act creating the Cullman County Commission on Education.

Also:

S. 532. To extend the boundaries of the City of Selma in Dallas County.

Also:

S. 540. To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

Also:

S. 541. To confer discretionary authority upon the Board of Commissioners of Madison County to appropriate from the general funds of the county sums of money, not to exceed five hundred dollars, for the

payment of certain equitable and moral claims against the county, as the board may from time to time determine.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Locke, Bowers, Vacca, Sessions, Gilmore, B. Bethea, Hawkins, M. Bethea, Meeks:

H. 1266. To authorize and regulate the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census. To prescribe conditions for calling of a referendum.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1266. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Beville:

H. 1079. Relating to counties having populations of not less than 51,000 nor more than 56,000; providing an additional appropriation for the tax collectors of such counties.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to counties having populations of not less than 51,000 nor more than 56,000; providing an additional appropriation for the tax collectors of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census, the court of county commissioners, board of revenue, or other like governing body of the county, shall appropriate the sum of \$1,200 from any funds in the county treasury not otherwise appropriated, to the use of the tax collector for the fiscal year ending September 30, 1965.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA

County of Walker

Before me, the undersigned authority in and for said State and County, this day personally appeared Carmon A. Parsons of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely:

June 28, 1965

July 5, 1965

July 12, 1965

July 19, 1965

THE DAILY MOUNTAIN EAGLE,
CARMON A. PARSONS.

Sworn and subscribed to before me, This 22 day of July, 1965.

FAY O'REAR,
Notary Public.

Also:

By Mr. Cook:

H. 1238. To authorize the court of county commissioners, board of revenue, or other like governing body of Coffee County to make an appropriation from the county treasury for the relief of D. B. Adkinson, a deputy sheriff who was injured in the line of duty.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA

COUNTY OF COFFEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the court of county commissioners, board of revenue, or other like governing body of Coffee County to make an appropriation from the county treasury for the relief of D. B. Adkinson, a deputy sheriff who was injured in the line of duty.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commisisoners, board of revenue, or other like governing body of Coffee County may, in its discretion, appropriate county funds, from any funds in the county treasury not other-

wise appropriated, not exceeding \$1,500, for the purpose of compensating D. B. Adkinson, a deputy sheriff who was injured while he was lawfully engaged in the discharge of his duties, for loss of time and for medical and hospital expenses incurred as a result of injury or injuries.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COFFEE COUNTY

Before me, a Notary Public in and for said State and County, personally appeared Lucille Woodham McRae who states on oath that she is the owner of THE ELBA CLIPPER, a newspaper published weekly at Elba, Ala., in said County and State, and that the Notice hereto attached was published in said newspaper for a period of four consecutive weeks on the following dates, to-wit:

June 15th, 1965

June 22nd, 1965

June 29th, 1965

July 5th, 1965.

LUCILLE WOODHAM McRAE.
By FERRIS COX.

Sworn to and subscribed before me on this the 6th day of July, 1965.

NADINE H. FULLER,
Notary Public.

Also:

By Mr. Edwards (Escambia):

H. 1239. Relating to Escambia County; requiring the tax collector to send certain notices to taxpayers by mail, and providing for the cost of payment for postage.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Escambia County; requiring the tax collector to send certain notices to taxpayers by mail, and providing for the cost of payment for postage.

Be It Enacted by the Legislature of Alabama:

Section 1. The Tax collector of Escambia County shall be required to send notices to taxpayers of the amount of tax due in said county not later than November 15th of each year.

Section 2. Such notices shall be sent through the United States mail, and the cost of postage thereafter shall be paid out of the general fund of the county.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Philip Sokol, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1965.

PHILIP SOKOL.

Sworn to and subscribed before me August 6, 1965.

FRANCES D. BLACKBURN,
Notary Public.

My Commission Expires November 20, 1968.

Also:

By Mr. Edwards (Escambia):

H. 1240. Relating to Escambia County; providing expense allowances for the chairman and members of the board of county commissioners; amending Sections 2 and 4 of Act No. 411, H. 742, Regular Session 1963.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Escambia County; providing expense allowances for the chairman and members of the board of county commissioners; amending Sections 2 Act No. 411, H 742, Regular Session 1963.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 411 H. 742, Regular Session 1963 (Acts 1963, p. 912) is amended to read as follows:

"Section 2. A chairman of the Board shall be elected by the qualified electors of the county at the general election of state and county officers in 1964, and every four years thereafter, and shall hold office for a term of four years from the first Monday after the second Tuesday in January next following his election, and until his successor is elected and qualified. The chairman must possess the same qualifications for office as the general law prescribes for probate judges. He shall be entitled to an annual salary of three thousand six hundred dollars (\$3,600) payable from the county treasury in equal monthly installments, which shall be his entire compensation for performance of the duties of his office and all ex officio duties imposed by law. In addition, he shall be entitled to an allowance, for expenses in the amount of one thousand eight hundred dollars (\$1,800) per annum, which shall be payable from the county treasury in equal monthly installments."

Section 2. Section 4 of said Act is amended to read as follows:

"Section 4. The associate members of the Board shall each receive an annual salary of three thousand three hundred dollars (\$3,300). The salaries of the associate members of the Board shall be paid in equal monthly installments from any funds in the county treasury available for that purpose and shall be their entire compensation for the services required of them by this Act. In addition to his salary, each member of the Board shall also be entitled to an allowance for expenses in the amount of one thousand five hundred dollars (\$1,500) per annum which shall be payable from the county treasury in equal monthly installments."

Section 3. This Act shall become effective October 1, 1965.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Philip Sokol, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the *Atmore Advance*, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1965.

PHILIP SOKOL.

Sworn to and subscribed before me August 6, 1965.

FRANCES D. BLACKBURN,
Notary Public.

My Commission Expires November 20, 1968.

Also:

By Mr. Edwards (Escambia):

H. 1241. To provide further for purging the lists of registered voters in Escambia County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing penalties for making a willful false statement in connection with reidentification.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide further for purging the lists of registered voters in Escambia County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing penalties for making a willful false statement in connection with reidentification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Escambia County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all persons who are deceased or nonresidents of the county, or have otherwise become disqualified from voting in Escambia County, shall be removed from such lists, and that in the name of each qualified elector shall appear only on the list of qualified electors for the beat in which he resides.

Section 2. The Board of registrars shall omit and remove from the lists of qualified electors of the county the name of any person who fails to reidentify himself, in the manner prescribed herein, before the first day of January 1968.

Section 3. Prior to the first day of January 1968, the board of registrars of Escambia County is hereby authorized, directed and required to visit each beat in the county at least once, and more often if necessary, and remain there at least one day from nine o'clock in the morning until five o'clock in the afternoon, for the purpose of enabling qualified and registered voters residing in the beat to appear before the board and reidentify themselves. The board shall give at least ten days notice, by advertisement in a newspaper published in the county, of the time when, and the place in the beat where, they will attend for the purpose of enabling voters to appear and reidentify themselves. Upon failure to give such notice, or to attend any appointment made by them in any beat, they shall, after like notice, fill new appointments. The board shall remain in session for thirty days. During the 30 day session the board shall visit each beat on at least one day and the remainder of the time may be divided as the board of registrars deem necessary to enable the qualified electors of the county to appear and reidentify themselves in the manner prescribed herein.

Section 4. Each member of the board of registrars shall receive ten dollars per day, for each day's attendance upon the special sessions of the board required under the provisions of this Act; but if such special session is held on the same day a regular session is required to be held under the laws of this State, registrars shall receive only one per diem allowed for performing their regular duties, it being the intent and purpose of this Act that registrars shall be entitled to receive only one per diem allowance for one day's service. If one or more of the members of the board shall refuse, neglect, or be unable to serve, or if a vacancy or vacancies occur in the membership of the board from any cause, the Governor, State Auditor, and Commissioner of Agriculture and Industries, or a majority of them, shall forthwith make other appointments to fill such vacancies.

Section 5. The voter may reidentify himself by appearing in person before the board of registrars or by appearing before the judge of probate or either of the clerks in the office of the judge of probate, or before the board of registrars in regular session, and answering such questions and submitting such proof under oath as the board may require in order to establish the voter's reidentity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. Provided however, that a member of the armed forces of the United States of America or his spouse may reidentify himself in person or by United States mail on application as provided by the board of registrars. In addition, a qualified elector may reidentify himself at any primary or general election held in the county after this Act becomes effective by filling out and signing the questionnaire form prescribed in Section 9 in the presence of any election officer appointed to serve at the election. The returning officer shall return all executed questionnaire forms to the judge of probate or chairman of the board of registrars.

Section 6. The board of registrars shall meet on the first Monday in January 1968, for the purpose of purging the registration lists and the names of all persons who have failed to appear and reidentify themselves by January 1, 1968, in the manner herein prescribed shall be stricken from the lists, provided, however, that said board shall not strike the name of any person, or of the spouse of any person, known by any member of said board, or made known to the said board by the written affidavit of another qualified elector, to be in active duty of any of the armed forces of the United States of America and to be stationed, or to be living with her or his spouse as the case may be, outside of Escambia County, Alabama, during the period of time from the effective date hereof to January 1, 1968.

Section 7. Any person who shall have his name omitted or removed from the list of qualified electors in the county by failure to appear and reidentify himself as herein provided by January 1, 1968, may have his name restored to the list of qualified electors only by appearing before the board of registrars and registering in the manner provided by law.

Section 8. The court of county commissioners of Escambia County is hereby authorized, directed, and required to furnish the board of registrars with the supplies, equipment, maps, printed forms, stationery and newspaper advertisements necessary for the reidentification of voters as herein provided. Provided further that the sum of one hundred dollars (\$100) be paid to each member of the board of registrars for expenses in carrying out the provisions of this Act.

Section 9. The questionnaire to reidentify a voter shall be in substantially the following form.

VOTERS REIDENTIFICATION QUESTIONNAIRE

Escambia County, Alabama

Date 196.....

Name Last First Middle

Legal Residence Address Street

City or Town

State

Place of Birth

Date of Birth Sex

Race

Occupation

Name of Employer

I now vote and I am a qualified elector in Precinct or Beat No., Box No., Escambia County, and I have not been disqualified from voting in this county. I am not a qualified voter in any other county in the State of Alabama or in any other State in the United States.

I have resided in Precinct or Beat No., Box No., Escambia County, for the past three months.

I declare under penalties of perjury that I have executed this questionnaire form to the best of my ability, and to the best of my knowledge and belief the information stated herein is true, correct and complete; also that I have not been disqualified from voting under the laws of Alabama.

Signed

Signature of Voter

Sworn to and subscribed before me this day of

196.....

Registrar—Judge of Probate

Section 10. Any person who willfully makes a false statement to the board of registrars, or any duly authorized person, in reidentifying himself as a qualified elector in the manner provided herein shall be guilty of perjury and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the parts which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Philip Sokol, who, being by me first duly sworn, deposes and says that during the times herein mentioned he

was Co-Publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1965.

PHILIP SOKOL.

Sworn to and subscribed before me August 6, 1965.

FRANCES D. BLACKBURN,
Notary Public.

My Commission Expires November 20, 1968.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1079, 1238, 1239, 1240 and 1241. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Goodwyn and Turner (Crenshaw):

H. 328. To amend Section 1 (j), Act No. 100, Second Special Session Legislature of 1959, so as to make the sale of tangible personal property to undertakers and morticians a sale at retail.

Also:

By Mr. Goodwyn:

H. 729. To amend Section 787 (e), as amended, Title 51, Code of Alabama 1940, so as to make the sale of tangible personal property to undertakers and morticians a sale at retail.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 328 and 729. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 125. To amend Sections 9, 14 and 16 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as amended (relating to gas districts), so as to provide that a gas district organized under the provisions of said act, as amended, may issue refunding bonds (whether or not the bonds to be refunded are then subject to redemption) in principal amount not exceeding the principal amount of the bonds to be refunded plus any premium necessary to redeem or retire any such bonds, any interest (accrued or to accrue) on such bonds to the date of redemption or retirement thereof and any expenses estimated to be incurred in connection with such refunding, so as to provide that any such refunding bonds may be issued by sale or exchange or any combination thereof, so as to authorize any such district to issue bonds for the combined purpose of so refunding any of its bonds and of acquiring, constructing, providing, improving or extending any gas system or systems, so as to specify with more particularity the purposes for which the proceeds from any such refunding bonds shall be used and so as to exempt gas districts more fully from taxation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 125. To the Committee on Public Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Goodwyn:

H. 679. To amend Code of Alabama, 1940, Title 28, Sections 321 and 325, relating to the state insurance fund.

Also:

By Mr. Cooper:

H. 1059. To provide funds for annual scholarships at certain state institutions of higher learning.

Also:

By Mr. Turner (Crenshaw):

H. 368. To amend Section 28, Title 29, Code of Alabama 1940, in relation to graduated license fees for retailers of malt or brewed beverages.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 679. To the Committee on Insurance.

H. B. 1059. To the Committee on Finance and Taxation.

H. B. 368. To the Committee on Temperance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Harper, Glass, Wood, Smith, Cantrell, Tuck, Cates, Hannah, Boston, Turner (Crenshaw), Young, Albea, Powell, Snell, Posey, Hester and NeSmith:

H. 417. To regulate the sale of pecans and other nuts sold or offered for sale for human consumption; to prohibit the sale of pecans and other nuts that are inedible or unfit for human food; to provide for the administration and enforcement of this Act and a penalty for violations thereof.

Also:

By Mr. Turner (Crenshaw):

H. 594. To provide for the amendment of the statute of limitations set forth in Section 16 (b), Act 100, Second Special Session, Legislature 1959; to provide for the waiving of such limitation; to provide for an extension of the time within which a refund may be made; to authorize rules and regulations for the administration of this Act.

Also:

By Mr. Stembridge:

H. 929. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 417. To the Committee on Agriculture.

H. B.'s 594 and 929. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 520. To provide for payment of an allowance for the use of the chairman or presiding judge of the Court of County Commissioners of Wilcox County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 520, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 520

In Section 1, strike out the words "payable to such officer in equal monthly installments from county gasoline tax funds" and insert in lieu thereof the following: payable to such officer in equal monthly installments from the general funds of the county.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	McCain	Smith
Bentley	Givhan	McDow	Taylor
Brannan	Hornsby	Montgomery	Tyson
Carter	Horton	Oden	Wilson
Cooper	James		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 518. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 518, the title of which is set out in the foregoing Message from the House, to-wit:

LOCAL LEGISLATION NO. 1 COMMITTEE

SUBSTITUTE FOR S. B. 518

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Be It Enacted by the Legislature of Alabama:

Section 8 of Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority,

and compensation of members of the Court of County Commissioners of Wilcox County, is amended further to read as follows:

"Section 8. COMPENSATION: The judge of probate as the chairman of said court shall receive as compensation for his services required under this Act the same salary, fees, and compensation now or hereafter allowed to probate judges for like services as chairman of the Court of County Commissioners under the general laws of the State of Alabama. Each of the associate members of the court shall receive a salary of three hundred dollars per month."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Tyson
Carter	Horton	Oden	Wilson
Cooper	James		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 439. Relating to counties having a population of not less than 22,000 and not more than 22,350 according to the last or any subsequent federal decennial census; providing for the substitution by the county board of education in such county for use in the schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 66, Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 66, Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 60. Relative to the proposed Seminar on ECONOMIC POTENTIAL IN ALABAMA.

Also:

S. J. R. 39. Relative to need for a new Elementary School at Dora, Alabama.

Also:

S. J. R. 40. Relative to need of a new high school in the Sumiton area of Walker County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its Consideration:

By Messrs. Fite and Salter:

H. J. R. 146. WHEREAS the late Ed E. Reid was well-known, highly respected, and beloved by a multitude of friends, acquaintances, and associates throughout the State of Alabama and in the nation's capital; and

WHEREAS Mr. Reid's untimely death on July 26, 1965, has deprived Alabama of one of the State's most able and dedicated public figures. Born in Georgiana and educated at the University of Alabama and the Birmingham Law School, Mr. Reid worked for several years as a journalist before coming to Montgomery in 1935 to serve as legislative liaison man during the administration of Governor Bibb Graves; and

WHEREAS shortly thereafter Mr. Reid found his true forte when he became associated with the League of Municipalities, of which he was Executive Director at the time of his death. Through his keen foresight, wise leadership, and exceptional management ability, that organization grew more than ten-fold in membership and became an effective instrument in improving municipal management and working conditions for municipal employees in cities throughout the State; and

WHEREAS Mr. Reid possessed a personal warmth, an enthusiasm for life, and an interest in others which made his company exceedingly pleasant and sought-after. His marvelous knowledge and memory of the men and events in Alabama politics for the past 30 years qualified him as an expert par excellence on that subject, and his interesting anecdotes enlivened any conversation or gathering and will be sorely missed; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deems it appropriate that the State of Alabama should pay tribute to Mr. Ed E. Reid in a manner commensurate to his many years of valuable service to the State, its instrumentalities, and its citizens.

BE IT FURTHER RESOLVED That the Alabama Trade School and Junior College Authority and the State Board of Education are hereby authorized to designate the newly established State vocational trade school located in Conecuh County at Evergreen, where Mr. Reid was born, be known as the "Evergreen State Vocational Technical School, Ed E. Reid Memorial" in honor of that esteemed citizen who knew so well the value of education and training and encouraged development of facilities therefor in this State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Taylor, the Rules were suspended and the Resolution, H. J. R. 146, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its Consideration:

By Mr. Callahan:

H. J. R. 147. WHEREAS, Dr. A. B. Moore has completed and concluded his service to the State of Alabama, as the Executive Director of the Alabama Civil War Centennial Commission, and;

WHEREAS, Dr. Moore has done an outstanding job and has rendered an outstanding service to the State of Alabama, and;

WHEREAS, At the conclusion of his tenure of office, there were several items of property which he had used in his office, which were left over, and are not of use to the State, and are too cumbersome and of little value if they were sold at an auction, which items of personal property are as follows:

- 1 Royal standard typewriter, elite type, FP 11"
- 1 #CS-814 gray storage cabinet
- 1 #8518 walnut secretary desk
- 1 #74 gen. walnut and top grain leather secretarial chair
- 1 #1437 gray 4 drawer letter file
- 1 Green 4 drawer letter file, steelmaster 2904
- 1 #6 US gray valet (costumer)
- 1 #B-965-H gen. walnut 69 X 36 executive desk
- 1 #8520 gen. walnut and top grain leather high back executive chair
- 1 Postage scale (desk type)
- 2 Waste baskets

~~NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,~~

That the Director of Finance and the Governor of Alabama are given authority to deliver all the said items of personal property and convey the same to Dr. Moore under such terms as they deem proper. However not to exceed the maximum price of one dollar.

BE IT FURTHER RESOLVED, That the Governor of Alabama and the Director of Finance, be absolved of all responsibility for said articles after they have been transferred to Dr. Moore.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McCain, the Rules were suspended and the Resolution, H. J. R. 147, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its Consideration:

By Messrs. Bethea (M), Vacca, Sessions, Morrow, Meeks, Bowers, Dominick, Etheredge, Locke, Hawkins, Bailes, Brown (Jefferson), Rast, Gilmore, Engel, Hogan, Edington, Collins (Mobile), Goodwyn, Pierce, Merrill, Albea, Burns, Callahan, Campbell (Tuscaloosa), Brown (Tuscaloosa), and McDermott:

H. J. R. 148. WHEREAS, the Legislature at this time is endeavoring to reapportion the legislature of Alabama and the courts have stated a determination to reapportion the Legislature of the State of Alabama if the Legislature does not; and

WHEREAS, under either legislative or court ordered reapportionment it is probable that in some instances a single county may be entitled to more than one member in each house of the legislature; and,

WHEREAS, the operation of the ward system in many large cities and counties of the United States has amply demonstrated the viciousness and inherent dangers of sectionalism and "bossism" in the ward system; therefore,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA that:

Under any system of legislative reapportionment adopted either by the Legislature or the courts, it is considered highly desirable that the area from which individual members of the legislature are to be elected should not be less than whole county units and that to provide otherwise would be to invite all the abuses and dangers inherent in ward systems of representation in highly populated areas.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 148, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 58. Relative to the death of Dr. Jean Clark Browne.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Engel, Owen (Baldwin), Rogers, McDermott, Downing, Hogan, Edington, Smith:

H. J. R. 122. To create a joint legislative advisory and study committee to investigate the feasibility of constructing a toll bridge connecting Dauphin Island and Fort Morgan, making possible a scenic coastal highway in Alabama.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created and established an interim legislative committee to be composed of fifteen members, ten of whom shall be members of the House, appointed by the Speaker of the House, and five members of the Senate who shall be appointed by the President of the Senate. In addition to the regular members there shall be four ex officio members of the committee who shall be the director of the State Highway Department, the director of the Alabama State Docks, the director of the State Department of Conservation, and director of the Bureau of Publicity and Information. Of the legislative members of the committee, five shall be appointed from Mobile County, two from Baldwin County, and one from each of the eight congressional districts, provided that the members of the committee from the first and second districts shall be appointed from counties other than from the counties of Baldwin and Mobile. The committee shall meet within one month after the adoption of this resolution and shall elect from among its members a chairman and a vice-chairman. It shall hold such other meetings upon the call of the chairman, and at such time and place as the chairman may designate. Any eight members shall constitute a quorum for the transaction of any business which may properly come before the committee. The committee shall be authorized to appoint from among its numbers a sub-committee to perform such duties of the committee and with such authority as the committee members may direct. Committee members shall be entitled to their regular per diem pay and allowances for each meeting of the committee actually attended or when otherwise actually engaged in committee business.

It shall be the duty of the committee: 1) to study the possibility and feasibility of constructing a bridge from Fort Morgan to Dauphin Island, giving detailed consideration to the operation of the proposed ferry between Fort Morgan and Dauphin Island; 2) to determine the kind and type of bridge best suited or required to be constructed as related to flow of traffic to be borne on the bridge, and navigation in the channel below the bridge; 3) to determine insofar as possible within the limitations set forth herein the cost of construction; 4) to investigate and determine available financing for such bridge, including financing with state funds; with state and federal funds; with funds from the proceeds of a bond issue; with funds provided partially from the proceeds of a bond issue and partially from state and federal funds; or financing by any combination of such funds which may be available; 5) to ascertain whether or not a detailed and conclusive finding on the problems to be considered can be made by the utilization of free assistance from the highway department, the finance department, and other appropriate state agencies, and without the employment of consultant services; 6) to obtain, in the event engineering studies are favorable, the advice and approval of recognized bond experts on fiscal questions involved before bonds can be sold by any

authority which might be created for such construction purposes, by the State of Alabama, or by such other group as might be involved in the construction of a bridge or operation of a ferry; 7) to report the result of its investigations and its final conclusions to the respective houses of the Legislature at the next regular session, whereupon the committee shall be dissolved.

All departments and agencies of the State of Alabama are hereby authorized and directed to extend their cooperation and to lend assistance to the committee created herein.

The per diem pay and allowances of legislators who are committee members, and all other expenses incurred by the committee shall be paid out of any funds appropriated for the use of the legislature, provided the total amount so expended shall in no case exceed five thousand dollars (\$5,000). Such payment shall be made on warrants drawn by the State Comptroller upon requisitions signed by the chairman of the committee.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 122, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 591. To amend Section 40 of Title 50, under Chapter 3 of the Recompiled Code of Alabama of 1958, relating to the general grant of power to public corporations organized under said Chapter 3, so as to permit the sale and transfer of such corporation's entire system.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	James	Robison (Montgomery)
Allen	Eddins	Lolley	Robison (Pickens)
Bentley	Evans	Mathews	Shelton
Brannan	Gilchrist	McCain	Smith
Carter	Givhan	McDow	Taylor
Clark	Hawkins	Montgomery	Wilson
Cooper	Hornsby	Oden	

—26

Nays:

—0

The Bill:

H. 770. To make an appropriation from the state treasury for support and maintenance of certain special classes for children.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Robison (Pickens)
Allen	Eddins	James	Shelton
Bentley	Evans	Lolley	Smith
Brannan	Gilchrist	Lowe	Taylor
Carter	Givhan	McDow	Tyson
Clark	Hawkins	Reynolds	Wilson
Cooper	Hornsby	Robison (Montgomery)	

—26

Nays:

—0

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Burnham:

H. 894. Proposing an amendment to the Constitution of Alabama authorizing each county and municipality of the State to levy and collect additional property taxes for library purposes.

The above Bill was read a second time at length as required by the Constitution.

UNFINISHED BUSINESS**BILLS ON THIRD READING**

The Senate proceeded to consideration of the unfinished business for today, which was the Bill:

H. 144. To make a conditional appropriation from the Alabama special educational trust fund for the reconstruction of the John Essex School, in Marengo County, and for replacement of equipment destroyed by fire.

MOTION TO ADJOURN LOST

At 5:25 P. M., Mr. McCain moved that the Senate adjourn until Tuesday, August 17, 1965, at 10 o'clock A. M., which motion was lost.

Yeas 8; Nays 20.

Yeas:

Messrs.:	Hawkins	McCain	Shelton
Bentley	Hornsby	McDow	Wilson
Gilchrist			

—8

Nays:

Messrs.:	Eddins	Lowe	Roberts
Allen	Evans	Mathews	Robison (Montgomery)
Brannan	Givhan	Montgomery	Robison (Pickens)
Carter	James	Oden	Smith
Clark	Lolley	Reynolds	Tyson
Cooper			

—20

FURTHER CONSIDERATION OF H. B. 144

The Senate proceeded to further consideration of the Bill, H. B. 144.

Mr. McCain offered the following amendment to the Bill, H. B. 144, to-wit:

Amendment to H. B. 144

Amend H. B. 144 by striking therefrom the figures \$100,000.00 where they appear in the Bill and by inserting in lieu thereof the figures \$15,000.00.

Mr. Eddins moved that further consideration of the Bill, H. B. 144 and pending amendment, be postponed until the next Legislative Day, which motion was lost.

MOTION TO ADJOURN LOST

At 6:35 P. M., Mr. Bentley moved that the Senate adjourn until Tuesday, August 17, 1965, at 10 o'clock A. M., which motion resulted in a tie vote.

Yeas 13; Nays 13.

Yeas:

Messrs.:	Hawkins	Lowe	Robison (Montgomery)
Bentley	Hornsby	McCain	Shelton
Dumas	Horton	Oden	Wilson
Gilchrist	James		

—13

Nays:

Messrs.:	Cooper	Mathews	Robison (Pickens)
Allen	Eddins	McDow	Smith
Carter	Givhan	Reynolds	Taylor
Clark	Lolley		

—13

The President and Presiding Officer of the Senate voted "Nay"; therefore, the motion to adjourn was lost.

FURTHER CONSIDERATION OF H. B. 144

The Senate proceeded to further consideration of the Bill, H. B. 144. The question was on the amendment to the bill offered by Mr. McCain.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

- S. B. 401. Delivered to the Governor August 11, 1965, at 9:15 A. M.
- S. B. 424. Delivered to the Governor August 11, 1965, at 9:15 A. M.
- S. B. 450. Delivered to the Governor August 11, 1965, at 9:15 A. M.
- S. B. 460. Delivered to the Governor August 11, 1965, at 9:15 A. M.
- S. B. 469. Delivered to the Governor August 11, 1965, at 9:15 A. M.

- S. B. 495. Delivered to the Governor August 11, 1965, at 9:15 A. M.
 S. B. 499. Delivered to the Governor August 11, 1965, at 9:15 A. M.
 S. B. 500. Delivered to the Governor August 11, 1965, at 9:15 A. M.
 S. B. 329. Delivered to the Secretary of State August 11, 1965, at 9:17 A. M.
 S. B. 490. Delivered to the Secretary of State August 11, 1965, at 9:17 A. M.
 S. B. 506. Delivered to the Secretary of State August 11, 1965, at 9:17 A. M.
 S. B. 483. Delivered to the Governor August 11, 1965, at 9:15 A. M.
 S. B. 396. Delivered to the Governor August 11, 1965, at 9:15 A. M.
 S. B. 463. Delivered to the Governor August 11, 1965, at 9:15 A. M.
 S. B. 33. Delivered to the Governor August 13, 1965, at 2:05 P. M.
 S. B. 449. Delivered to the Governor August 13, 1965, at 2:05 P. M.
 S. B. 477. Delivered to the Governor August 13, 1965, at 2:05 P. M.
 S. J. R. 52. Delivered to the Governor August 13, 1965, at 2:05 P. M.
 S. J. R. 53. Delivered to the Governor August 13, 1965, at 2:05 P. M.
 S. J. R. 54. Delivered to the Governor August 13, 1965, at 2:05 P. M.
 S. B. 26. Delivered to the Governor August 13, 1965, at 2:05 P. M.
 S. B. 27. Delivered to the Governor August 13, 1965, at 2:05 P. M.
 S. J. R. 18. Delivered to the Governor August 13, 1965, at 4:45 P. M.

McDOWELL LEE,
 Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 7:10 P. M., on motion of Mr. Bentley, in accordance with motion heretofore adopted, pending further consideration of H. B. 144, the Senate adjourned until Tuesday, August 17, 1965, at 10 o'clock A. M.

Yeas 13; Nays 11.

Yeas:

Messrs.:
 Bentley
 Dumas
 Gilchrist

Hawkins
 Hornsby
 Horton
 McCain

Oden
 Reynolds
 Robison (Montgomery)

Shelton
 Tyson
 Wilson

—13

Nays:

Messrs.:
 Allen
 Clark

Cooper
 Eddins
 Givhan

Hammond
 Lolley
 Mathews

McDow
 Robison (Pickens)
 Taylor

—11

THIRTY-FOURTH LEGISLATIVE DAY

TUESDAY, AUGUST 17, 1965

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by the Reverend Charles W. Norfleet, Jr., Associate Minister, Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Wilson
Dumas	James	Oden	

—34

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-Third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Thirty-Third Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Horton, leave of absence was granted Mr. Tyson for today.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Allen, further consideration of the Bill, H. B. 194, was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

S. 501. Relating to Geneva County: To withdraw and take away criminal and quasi-criminal jurisdiction from justices of the peace and notaries public ex officio justices of the peace.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lowe	Reynolds
Adams	Eddins	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	Metcalf	Smith
Carter	Hawkins	Nichols	Taylor
Clark	Horton	Oden	Wilson
Cooper	James		

—25

Nays:

—0

CALENDAR BILLS POSTPONED TO DAY CERTAIN

On motion of Mr. Evans, further consideration of the Bill, H. B. 183, was postponed until the Thirty-Sixth Legislative Day.

On motion of Mr. Taylor, further consideration of the Bill, H. B. 1211, was postponed until the Thirty-Sixth Legislative Day.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1076. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school district number one, Talladega County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Shelton
Carter	Hornsby	Metcalf	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1136. To apply only in counties having populations of not less than 26,000 nor more than 27,000; regulating the compensation and allowances of members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Robison (Montgomery)
Adams	Evans	Mathews	Robison (Pickens)
Allen	Givhan	McCain	Shelton
Bentley	Hammond	Montgomery	Smith
Brannan	Hawkins	Nichols	Taylor
Clark	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

S. 605. To repeal Act No. 348, H. 803, approved August 30, 1963 (Acts of Alabama 1963, vol. 2, p. 842), entitled, "An Act To prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months, and describing penalties."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Shelton
Bentley	Hammond	McDow	Smith
Carter	Hawkins	Montgomery	Taylor
Cooper	Hornsby	Oden	Wilson
Dumas	Horton		

—25

Nays:

—0

The Bill:

S. 606. To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Roberts
Adams	Evans	Lowe	Robison (Pickens)
Allen	Gilchrist	Mathews	Shelton
Bentley	Givhan	McCain	Smith
Brannan	Hammond	Montgomery	Taylor
Carter	Hawkins	Nichols	Wilson
Clark	Hornsby		

—25

Nays:

—0

The Bill:

S. 608. To allow the establishment of branch banks in Jackson County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	McCain	Robison (Montgomery)
Allen	Gilchrist	Metcalf	Robison (Pickens)
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

S. 607. To amend Act No. 209, S. 120, Regular Session 1963, an act providing for and requiring reidentification of electors in Jackson County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Shelton
Bentley	Givhan	McCain	Smith
Brannan	Hammond	McDow	Taylor
Carter	Hawkins	Oden	Wilson
Clark	Hornsby		

—25

Nays:

—0

The Bill:

S. 610. To alter or rearrange the boundary lines of the Town of Elkmont, Limestone County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Reynolds
Brannan	Gilchrist	McDow	Robison (Montgomery)
Carter	Givhan	Metcalf	Robison (Pickens)
Clark	Hammond	Montgomery	Shelton
Cooper	Hawkins	Nichols	Smith
Dumas	Horton	Oden	Taylor
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 508. To provide further for the supplemental compensation of the Circuit Solicitor in every circuit composed of only one county having two Circuit Judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal

decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Clark	Hammond	Nichols	Shelton
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 717. Relating to the office of the sheriff of counties having populations of not less than 61,000 nor more than 65,000; creating a civil service board of appeals, regulating tenure of employment for deputies, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	Montgomery	Smith
Brannan	Hammond	Nichols	Taylor
Carter	Hawkins	Oden	Wilson
Clark	Horton		

—25

Nays:

—0

The Bill:

H. 1052. To amend Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, P. 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Mathews	Reynolds
Adams	Evans	McDow	Robison (Montgomery)
Allen	Givhan	Metcalf	Robison (Pickens)
Bentley	Hawkins	Montgomery	Smith
Brannan	Horton	Nichols	Taylor
Carter	James	Oden	Wilson
Clark	Lolley		

—25

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Carter, further consideration of the Bills, H. B.'s 1142, 1143 and 1144, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1176. To provide for the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000 according to the last or any subsequent Federal Census (any such county being hereinafter referred to in this title as "the County" or "such County"); to provide for the creation of a public corporation, hereinafter called "the Authority", for the purpose of establishing, maintaining and operating such civic center; to provide that the Authority shall be governed by a Board of Directors of five members; to provide that one of the members of said Board shall be the Mayor or chief executive officer of the largest municipality in the County, that one of the members of the Board shall be the President or Chairman of the governing body of the County, that two of the members of the said Board shall be elected by the members of the House of Representatives from the County and the Senator or Senators in which the County is situated, and that the four members of the Board designated or elected as hereinabove provided shall elect the fifth member of the Board; that, if there shall be a branch court house in the County, one of the members of the Board shall be a resident of the area served by such branch court house; to provide that the Board of Directors shall elect the Chairman of the Board; to provide for an alternative method of filling any directorship which is required to be filled by an election in the manner above provided and which is not filled in that manner; to provide that the affairs of the Authority shall be managed and controlled by said Board of Directors; to define the powers of the Authority and of the Board of Directors; to confer upon the Authority the power of eminent domain; to authorize the Authority to construct, maintain, control, operate and manage a civic center in the municipality wherein the county seat of the County is situated; to authorize the Authority to construct, maintain, control, operate and manage the following to be situated in the civic center: (1) buildings to provide offices used by the State of Alabama or by any agency, subdivision or public corporation thereof or by the County or by one or more municipalities thereof for any municipal purpose otherwise authorized by law; (2) buildings to house or accommodate public facilities of the State of Alabama or of any agency, subdivision or public corporation thereof or of the County or of any one or more of said municipalities for any municipal purpose otherwise authorized by law; (3) streets, boulevards, walkways, parkways and parks; (4) monuments, statues and other structures beautifying the civic center; (5) community houses or meeting houses and auditoriums, arenas, convention halls and convention sites; and (6) music halls, art museums, places of recreation, art exhibits and other exhibits for the advancement of the humanities and the cultural development and education of the citizens of the County and of the municipalities located therein; to authorize the County and any municipality thereof to lease, sell, donate or otherwise convey to the Authority real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of the County or of the municipality, provided the governing body of the County, or the municipality, as the case may be, shall first determine that such lease, sale, donation, conveyance or appropriation will benefit the people of the County, or the municipality, or as the case may be; to authorize the Authority to borrow money and to issue revenue bonds as evidence of money so borrowed, which bonds shall be payable solely from taxes payable to the Authority by any act of the Legislature heretofore or hereafter adopted and from revenues of the Authority

derived from the activities, operation and enterprises in which the Authority is authorized to engage; to authorize the Authority to mortgage its property to secure the payment of the principal and interest due on said bonds; to authorize the Authority to execute such contracts and other instruments as the Authority deems necessary to secure payment of the principal and interest due on said bonds; and to repeal all laws, whether general, special or local, inconsistent with the provisions of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalf	Smith
Carter	Hawkins	Reynolds	Wilson
Cooper	James		

—25

Nays:

—0

The Bill:

H. 297. Relating to Marion County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Marion County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Montgomery)
Adams	Gilchrist	McDow	Robison (Pickens)
Allen	Givhan	Metcalf	Shelton
Bentley	Hawkins	Montgomery	Smith
Carter	Horton	Oden	Taylor
Clark	Lolley	Roberts	Wilson
Cooper	Mathews		

—25

Nays:

—0

The Bill:

H. 298. To make an appropriation from the Marion County treasury for the relief of L. C. Wilson.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Robison (Montgomery)
Adams	Evans	Mathews	Robison (Pickens)
Allen	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Clark	Hornsby	Oden	Taylor
Cooper	James	Roberts	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 448. To propose an amendment to the Constitution of Alabama authorizing any municipality in Marion County that has issued or may hereafter issue securities pursuant to the amendment to the constitution proposed by Act No. 1 enacted at the Second Special Session of 1950 of the Legislature of Alabama to issue refunding securities, to invest (under certain conditions) the proceeds from the sale of such securities pending need therefor in certain specified investments, to issue securities for the combined purpose of refunding other such securities and of acquiring, constructing, extending or improving industrial or manufacturing plants or properties, to pledge certain revenues and taxes for payment of any such securities and to mortgage certain properties as security therefor; to provide that any securities issued by a municipality pursuant to said amendment may be general obligations of such municipality or may be limited as to the source of their payment; to provide that revenue bonds issued by a municipality under the provisions of such amendment shall not be considered indebtedness of such municipality for certain constitutional debt limit purposes; to specify and provide a limit upon the amount of indebtedness, other than that evidenced by revenue securities, that a municipality may incur under the provisions of said amendment; to specify that certain securities for which payment has been provided in a certain specified manner shall not be considered indebtedness of such municipality for certain constitutional debt limit purposes; to require an election in any such municipality as a condition precedent to its exercise of powers thereunder, except that if a majority of those voting in any such municipality on the question of the adoption of said amendment vote in favor thereof no further election in such municipality shall be required; and to grant to the Legislature the power to adopt laws in furtherance of the purposes of said amendment, notwithstanding any contrary provisions of Section 104 of the Constitution of Alabama.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Robison (Pickens)
Allen	Givhan	McDow	Shelton
Bentley	Hawkins	Metcalf	Smith
Brannan	Hornsby	Oden	Taylor
Clark	Horton	Roberts	Wilson
Cooper	Lowe		

—25

Nays:

—0

RESOLUTIONS

Mr. Dumas offered the following Senate Resolution, to-wit:

S. R. 61. BE IT RESOLVED BY THE SENATE That the Secretary of the Senate be authorized, on recommendation of the Building Commission, to proceed with repairs to the North Wing of the second floor of the Capitol in an amount not to exceed approximately ten thousand dollars (\$10,000.00).

On motion of Mr. Dumas, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1066. Relating to counties having populations of not less than 21,000 nor more than 21,850, according to the last or any succeeding federal decennial census, providing for a secretary-stenographer for the Courts of such counties, prescribing the means of appointment, the duties and compensation therefor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Robison (Pickens)
Allen	Gilchrist	Mathews	Shelton
Bentley	Givhan	McDow	Smith
Brannan	Hammond	Montgomery	Taylor
Cooper	Hawkins	Nichols	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 449. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Bear Creek Development Authority, for the development of Bear Creek, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes; to provide for the composition of the board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Bear Creek watershed, to determine requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a non-foreclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of the Authority, of bonds

and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion, Colbert, Franklin and Winston Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges of Probate; to provide that the Authority shall be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the State by the Authority; and to provide for certain annual reports by the Authority.

was taken up.

Mr. Oden offered the following amendment to the Bill, to-wit:

Amendment to House Bill 449:

Amend Section 5, sub-section (c) by adding to the end of sub-section (c) the following:

"Nothing herein shall be construed to authorize the acquisition by eminent domain of any real property or rights owned or controlled by railroads or utilities, both public or private."

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Nichols
Adams	Eddins	James	Oden
Allen	Evans	Lolley	Roberts
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Givhan	McDow	Robison (Pickens)
Cooper	Hawkins	Metcalf	Taylor

—23

Nays:

—0

And said Bill, H. B. 449, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Oden
Adams	Gilchrist	Lowe	Reynolds
Bentley	Givhan	McCain	Roberts
Brannan	Hawkins	McDow	Robison (Montgomery)
Cooper	Hornsby	Metcalf	Robison (Pickens)
Dumas	Horton	Montgomery	Taylor
Eddins	James	Nichols	Wilson

—27

Nays:

—0

The Bill:

H. 399. To make an appropriation to the use of Watershed Associations and Watershed Conservancy Districts.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Roberts
Bentley	Hawkins	McDow	Robison (Montgomery)
Brannan	Hornsby	Metcalf	Robison (Pickens)
Cooper	Horton	Montgomery	Smith
Dumas	James	Nichols	Wilson

—27

Nays:

—0

The Bill:

H. 450. Proposing an amendment to the Constitution of Alabama relative to the development of the Bear Creek watershed area.

Was read a third time at length as required by the Constitution and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Roberts
Adams	Gilchrist	McDow	Robison (Montgomery)
Allen	Givhan	Metcalf	Robison (Pickens)
Bentley	Hawkins	Montgomery	Shelton
Brannan	Horton	Nichols	Smith
Cooper	James	Oden	Taylor
Dumas	Lolley	Reynolds	Wilson
Eddins	Mathews		

—29

Nays:

—0

The Bill:

H. 1002. To provide for the sale and transfer of the assets and facilities and for the merger and dissolution of public improvement authorities in counties having a population of 500,000 or more according to the last or any subsequent federal census which have been or may be created or organized under Chapter 3, of Title 50, of the 1958 Recompiled Code of Alabama (General Acts 1935, page 72, as amended by General Acts, 1956, 2nd Extra Session, page 359, and by General Acts, 1957, page 611); and to provide for the payment or assumption of all obligations of such authority or authorities in the event of any such merger, sale or dissolution.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

Amendment to H. B. 1002:

Amend Section 2 of House Bill 1002 by adding after the words "or with any utility, public or private" the following words "or any municipal board or agency,"

also after the words "to be submitted to a vote of the electors" delete the words "in the territory" and substitute in lieu thereof the following words "of all boxes, any part of which is"

also after the words "a majority of the electors" delete the following words "served by such authority" and add in lieu thereof the following words "who vote in such election"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Allen	Gilchrist	McCain	Roberts
Bentley	Givhan	McDow	Shelton
Brannan	Hornsby	Metcalf	Smith
Carter	Horton	Nichols	Taylor
Clark	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

And said Bill, H. B. 1002, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Allen	Gilchrist	McCain	Roberts
Bentley	Givhan	McDow	Robison (Montgomery)
Brannan	Hornsby	Metcalf	Robison (Pickens)
Carter	Horton	Nichols	Taylor
Clark	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

REPORTS OF COMMITTEES

Mr. Hornsby, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Horton and Roberts:

S. 491. To amend further Code of Alabama 1940, Title 28, Section 321, which relates to the state insurance fund; providing for purchase of reinsurance by the director of finance and collection of agents' commissions thereon.

Mr. Allen, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Rogers:

H. 301. To amend Code of Alabama 1940, Title 32, Sections 3, 4, 5, 12, 13, and 14 relative to the legislature; regulating its sessions, and providing for the compensation and allowances of its members and certain employees.

Mr. Brannan, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Young et al:

H. 415. Relating to the theft of livestock: To require that any rifle, pistol or other gun-type weapon or device shall be registered with the Judge of Probate where such weapon is designed for use for capturing, controlling or immobilizing livestock and other animals by the distant injection of drugs, tranquilizers or other fluids or substances.

By Mr. Harper et al:

H. 417. To regulate the sale of pecans and other nuts sold or offered for sale for human consumption; to prohibit the sale of pecans and other nuts that are inedible or unfit for human food; to provide for the administration and enforcement of this Act and a penalty for violations thereof.

Mr. Hawkins, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Nabors et al:

H. 97. To amend further Code of Alabama 1940, Title 26, Section 293 which relates to medical, surgical and hospital service under the Workmen's Compensation Law.

Mr. Metcalf, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Rast et al (without recommendation):

H. 893. To amend Sections 339, 340 and 342 of Title 52 of the Code of Alabama of 1940 relating to annual public school institutes for teachers in service and to repeal Sections 341, 343, 344, 345 and 346 of Title 52 of the Code of Alabama of 1940 relating to non-attendance of annual public school institutes for teachers in service and to the conduct of teachers conferences and institutes and recognition for attendance:

Mr. Shelton, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

H. 125. To amend Sections 9, 14 and 16 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as amended (relating to gas districts), so as to provide that a gas district organized under the provisions of said act, as amended, may issue refunding bonds (whether or not the bonds to be refunded are then subject to redemption) in principal amount not exceeding the principal amount of the bonds to be refunded plus any premium necessary to redeem or retire any such bonds, any interest (accrued or to accrue) on such bonds to the date of redemption or retirement thereof and any expenses estimated to be incurred in connection with such refunding, so as to provide that any such refunding bonds may be issued by sale or exchange or any

combination thereof, so as to authorize any such district to issue bonds for the combined purpose of so refunding any of its bonds and of acquiring, constructing, providing, improving or extending any gas system or systems, so as to specify with more particularity the purposes for which the proceeds from any such refunding bonds shall be used and so as to exempt gas districts more fully from taxation.

By Mr. Campbell (Tuscaloosa) et al:

H. 703. To provide a personnel merit system for the administration, control, and regulation of employment in the service of the Alabama State Hospitals and the Partlow State School and Hospital.

Mr. McDow, Chairman of the Standing Committee on Temperance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turner (Crenshaw):

H. 368. To amend Section 28, Title 29, Code of Alabama 1940, in relation to graduated license fees for retailers of malt or brewed beverages.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn and Turner (Crenshaw):

H. 328. To amend Section 1(j), Act No. 100, Second Special Session Legislature of 1959, so as to make the sale of tangible personal property to undertakers and morticians a sale at retail.

By Mr. Goodwyn:

H. 729. To amend Section 787 (e), as amended, Title 51, Code of Alabama 1940, so as to make the sale of tangible personal property to undertakers and morticians a sale at retail.

By Mr. Turner (Crenshaw):

H. 594. To provide for the amendment of the Statute of Limitations set forth in Section 16 (b), Act 100, Second Special Session, Legislature 1959; to provide for the waiving of such limitation; to provide for an extension of the time within which a refund may be made; to authorize rules and regulations for the administration of this Act.

By Mr. Grouby:

H. 800. To make an appropriation from the Alabama Special Educational Trust Fund to the use and benefit of the Alabama Public Library Service for the purpose of qualifying under and entering into the program provided by the federal Library Services and Construction Act, which provides matching funds for capital outlay; providing for the revision of unexpended funds by a certain date.

By Mr. Goodwyn et al:

H. 891. To make an appropriation to the Alabama-Coosa River Improvement Association, Incorporated.

Mr. Clark, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tuck et al:

H. 968. Relating to qualifications of electors; requiring certain proof of age; amending Code of Alabama Title 17, Section 33.

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Burns, Nabors and Owens (with notice and proof):

H. 1242. To provide further for funds for the maintenance and operating of the Law Library of Etowah County; to impose trial taxes on certain litigation in Etowah County and provide for the proceeds thereof to be paid into the Etowah County Law Library Fund.

By Messrs. Slate and Brewer (with notice and proof):

H. 1259. To confer additional powers and authority upon the recorder of the City of Decatur in relation to remission of fines and costs, suspension of sentences, and granting of pardons and paroles.

By Mr. Heflin:

H. 1214. To apply only in counties having populations of not less than 25,500 nor more than 25,700; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 187, Acts of Alabama 1964, page 253.

By Mr. McDermott et al (with notice and proof):

H. 1190. To provide retirement allowances for certain elected officials and former elected officials of Mobile County and of incorporated municipalities therein; providing for contributions by elected officials from the salaries paid them as public officials; providing for approval of a majority of the voters in the respective political subdivisions before the provisions of this act can become operative as to any such subdivision.

By Mr. Edington et al (with notice and proof):

H. 1231. For the relief of Mrs. Emma J. Bray authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by Mrs. Bray on the Courthouse premises.

By Mr. Edwards (Escambia) (with notice and proof):

H. 1240. Relating to Escambia County; providing expense allowances for the chairman and members of the board of county commissioners; amending Sections 2 and 4 of Act No. 411, H. 742, Regular Session 1963.

By Messrs. Owens, Burns and Nabors:

H. 1215. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

By Mr. Cates (with notice and proof):

H. 952. To create the Shelby County Planning Commission; to provide for the organization, membership, powers, personnel, jurisdiction, and financial and legal status of such commission; to authorize the Com-

mission to make subdivision regulations, a master plan, and to adopt zoning regulations for the development of Shelby County; to provide for an election in each beat prior to the application of such authority of the Commission in each beat; to grant the Commission power to zone certain areas within the county and provide a procedure for the amendment of zoning regulations; to prohibit zoning regulations from being retroactive; to provide remedies for the enforcement of the provisions of this act; and to provide exceptions to such zoning regulations and for appeals from the decisions of the Commission.

By Messrs. Rogers, McDermott and Engel:

H. 1256. Relating to counties having populations of not less than 300,000 nor more than 600,000 and to counties contiguous to any county having such population; providing for the control and abatement of arthropods in such counties; creating and establishing an Arthropod Control Board for each such county, and prescribing its powers and duties; providing for the qualifications, appointment, terms, and compensation of the members of such Boards and a director thereof.

By Mr. Edwards (Escambia) (with notice and proof):

H. 1241. To provide further for purging the lists of registered voters in Escambia County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing penalties for making a willful false statement in connection with reidentification.

By Messrs. Rogers, Edington, and Engel:

H. 1234. To authorize the Director of Conservation to open a season in counties having a population of not less than 300,000 nor more than 500,000, for the hunting of female deer or unantlered male deer.

By Messrs. Nabors, Burns, and Owens:

H. 1243. To provide further for the selection of textbooks and instructional materials for use in the public schools in Etowah County.

By Mr. Faulk:

H. 1263. Relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

By Mr. Locke et al:

H. 1266. To authorize and regulate the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census. To prescribe conditions for calling of a referendum.

By Mr. Faulk (with notice and proof):

H. 1247. Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

By Mr. Bassett:

H. 1235. Relating to counties having populations of not less than 25,800 nor more than 26,700; providing an expense allowance for the superintendent of education in any such county.

By Mr. Cook (with notice and proof):

H. 1238. To authorize the court of county commissioners, board of revenue, or other like governing body of Coffee County to make an appropriation from the county treasury for the relief of D. B. Adkinson, a deputy sheriff who was injured in the line of duty.

By Mr. Daniel (with notice and proof):

H. 1253. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Sweet Water in Marengo County, Alabama.

By Messrs. Hogan and Engel (with notice and proof):

H. 1232. To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the City of Prichard.

By Mr. Edwards (Escambia) (with notice and proof):

H. 1239. Relating to Escambia County; requiring the tax collector to send certain notices to taxpayers by mail, and providing for the cost of payment for postage.

By Mr. Vacca et al:

H. 1262. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of the Regular Session of the Legislature of Alabama of 1951, pages 1571 et seq.) as heretofore amended.

By Mr. Rast et al:

H. 1218. To further amend Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376-400) as heretofore amended.

By Mr. Rast et al:

H. 1216. To provide for the calculation and payment of salaries on a monthly, semi-monthly, each two weeks or weekly basis of all elected officials in counties in this State having a population of 500,000 or more according to the last, or any subsequent Federal census; to provide for the repeal of all laws or parts of laws, general, special or local in conflict herewith; and to provide for the effective date of this Act.

By Mr. James (with notice and proof):

S. 612. Relating to Bibb County, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

By Messrs. Hannah and Boston:

H. 1249. Relating to counties having populations of not less than 60,500 nor more than 65,000; providing that minutes of meetings, and any information, document, record, or statement disclosed or made at such meetings, of the medical staff and certain committees thereof of any hospital in any such county shall be privileged communications and not subject to use as evidence in civil actions or proceedings.

By Messrs. Hannah and Boston:

H. 1220. Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; authoriz-

ing the court of county commissioners or other like governing body of such counties to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

By Messrs. Hannah and Boston:

H. 1219. Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; further regulating the execution of civil processes issued by justice of the peace courts and ex officio justice of the peace courts in precincts lying within, or partly within, any city or incorporated town having more than fifteen hundred inhabitants and located in a county to which this Act applies; providing that all such civil processes issued by such justice of the peace courts and ex officio justice of the peace courts shall only be executed or served by the regular constable elected or appointed to serve such precinct, or by deputy constables appointed by him, or by the Sheriff or Chief Deputy Sheriff of such county, or by any deputy sheriff of such county whose compensation is regularly paid from the general funds of such county under authorization of local legislation enacted by the Legislature of Alabama; further authorizing the appointment of not more than three deputy constables by the regular constable elected or appointed to serve such precinct and prescribing their qualifications, powers and duties.

By Messrs. Brown (Tuscaloosa) and Campbell (Tuscaloosa):

H. 1236. To provide an expense allowance for the Clerk of the Circuit Court in all Counties in the State of Alabama having a population of not less than One Hundred Thousand (100,000) nor more than One Hundred Fifteen Thousand (115,000) inhabitants according to the last or any subsequent Federal decennial census.

By Mr. Posey (with notice and proof):

H. 1226. To provide additional deputies for the sheriff of Winston County in lieu of the additional deputies heretofore provided by law; to provide for the appointment of such deputies to prescribe their duties and to fix their compensation, payable out of the general funds of the county; to repeal Act No. 153, S. 166, Regular Session 1927 (local acts 1927, p. 69) and Act No. 203, H. 617, Regular Session 1947 (local acts 1947, p. 121) both of which Acts provide for additional deputies to the sheriff of Winston County.

By Mr. Posey (with notice and proof):

H. 1225. To provide for the relief of T. A. Baldy of Winston County; authorizing and directing the governing body of Winston County to compensate T. A. Baldy for medical and hospital expenses incurred and for personal injuries suffered by him in connection with an injury received while performing his duty as a deputy sheriff of the county.

By Mr. Posey (with notice and proof):

H. 1224. To levy in Winston County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in such county of cigarettes and cigars; to require that the tax hereby levied shall be collected by the seller or distributor, added

to the sale price of the cigarettes and cigars, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes and cigars; to provide that the tax shall be in addition to all other taxes now levied by law; to require the affixing of stamps to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

By Mr. Hester (with notice and proof):

H. 1172. To amend Act No. 515, H. 756, Regular Session 1963 (Acts 1963, p. 1100), an act providing for a privilege license tax in Franklin County on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars.

By Mr. Stembridge:

H. 1265. To amend Act No. 379, H. 866 of the Regular Session of 1963, which relates to counties having populations of not less than 50,000 nor more than 54,000 and provides further for designation and alteration of election precincts and districts, voting places and voting centers therein and the conduct of elections; amending the Title and Sections 1, 2, 3, 4, and 9 of such act.

By Mr. Hankins:

H. 1186. To regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 13,650 nor more than 14,350, according to the 1960 or any subsequent federal decennial census.

By Mr. Faulk (with notice and proof):

H. 1173. To provide for an expense allowance for the Circuit Solicitor of the 33rd Judicial Circuit of Alabama, who resides and has an office at the County site of Geneva County, Alabama; and providing for the payment of such expense allowance out of the General Fund of Geneva County, Alabama.

By Mr. Meade (with notice and proof):

H. 1037. Relating to Cherokee County; further regulating the salaries of the chairman and members of the county board of revenue.

By Mr. McDermott (with notice and proof):

H. 1233. To alter, re-arrange and extend the boundaries and corporate limits of the City of Chickasaw, Mobile County, so as to annex certain territory to the city.

FURTHER CONSIDERATION OF MOTION
RELATIVE TO S. B. 208

The Senate proceeded to consideration of the motion offered by Mr. Dumas on the Thirty-Second Legislative Day that the reading at length of the Bill:

S. 208. To redistrict the State and provide for the election of congressmen by districts, amending Code 1940, Title 17, Section 425.

be dispensed with.

Mr. Dumas then moved that further consideration of his motion to dispense with the reading at length be postponed until the Thirty-Sixth Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request that the Senate return to the House for further consideration H. B. 1079.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate acceded to the request of the House for the return to the House of the Bill:

H. 1079. Relating to counties having populations of not less than 51,000 nor more than 56,000; providing an additional appropriation for the tax collectors of such counties.

and said Bill was returned to the House.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request that the Senate return to the House for further consideration S. B. 291.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate acceded to the request of the House for the return to the House of the Bill:

S. 291. To provide further for the payment and retirement of certain claims against the fine and forfeiture funds of counties having populations of not less than 51,000 nor more than 55,000 according to the most recent federal decennial census, providing for the payment and retirement of witness' fees in certain criminal cases out of the general funds of such counties.

and said Bill was returned to the House.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request that the Senate return to the House for further consideration S. B. 277.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate acceded to the request of the House for the return to the House of the Bill:

S. 277. To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit.

and said Bill was returned to the House.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request that the Senate return to the House for further consideration S. B. 278.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate acceded to the request of the House for the return to the House of the Bill:

S. 278. To provide an expense allowance for the solicitor of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit.

and said Bill was returned to the House.

FURTHER CONSIDERATION OF MOTION
RELATIVE TO S. B. 208

The Senate proceeded to further consideration of the motion offered by Mr. Dumas that the reading at length of the Bill, S. B. 208, be dispensed with. The question was on the motion of Mr. Dumas that his motion to dispense with the reading at length be postponed until the Thirty-Sixth Legislative Day.

On motion of Mr. Cooper, the motion to postpone was laid on the table.

Yeas 24; Nays 5.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Mathews	Robison (Montgomery)
Allen	Evans	McCain	Robison (Pickens)
Brannan	Gilchrist	McDow	Smith
Carter	Horton	Montgomery	Taylor
Clark	James	Oden	Wilson
Cooper			

Nays:

Messrs.:	Hornsby	Nichols	Shelton	
Hawkins	Lowe			—5

SIGNING OF BILL

Thereupon, the President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with on motion of Mr. Dumas by a two-thirds vote of a quorum of the Senate present, said vote being

Yeas 29; Nay 1.

Yeas:

Messrs.:	Dumas	Mathews	Reynolds	
Adams	Eddins	McCain	Robison (Montgomery)	
Allen	Evans	McDow	Robison (Pickens)	
Bentley	Gilchrist	Metcalf	Shelton	
Brannan	Hawkins	Montgomery	Smith	
Carter	Hornsby	Nichols	Taylor	
Clark	Horton	Oden	Wilson	
Cooper	James			—29

Nay: Mr. Lowe —1

and immediately after its title had again been publicly read at length by the Secretary, signed the bill, S. B. 208, the title of which is set out in the report from the Committee on Enrolled Bills in the Journal of the Senate for the Thirty-Second Legislative Day.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 439. Relating to counties having a population of not less than 22,000 and not more than 22,350 according to the last or any subsequent federal decennial census; providing for the substitution by the county board of education in such county for use in the schools of other books or texts for the textbooks on the list of state-approved or state-adopted **textbooks**.

Also:

S. 511. To provide a clerk hire allowance for the judges of probate of all counties having populations of not less than 26,000 nor more than 27,000, according to the most recent federal decennial census.

Also:

S. 512. To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 26,000 nor more than 27,000, according to the most recent federal decennial census.

Also:

S. 516. Relating to counties having a population of not less than 60,500 nor more than 65,000 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Also:

S. 518. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Also:

S. 520. To provide for payment of an allowance for the use of the chairman or presiding judge of the Court of County Commissioners of Wilcox County.

Also:

S. 522. To amend further Section 1, Act No. 501, S. 399, Regular Session 1957, an act regulating the compensation of the judge of probate of Madison County.

Also:

S. 523. To amend further Section 3, Act No. 661, H. 1077, Regular Session 1957, the act creating the Madison County Court, in relation to the compensation of the judge of said court.

Also:

S. 528. To amend further Section 2 of Act No. 155, H. 296, Regular Session 1953 (Acts 1953, v. I, p. 197), an Act relating to the duties and compensation of county commissioners of Bullock County, so as to provide a mileage allowance for such commissioners.

Also:

S. 529. Relating to Bullock County; fixing the terms of office of the members of the court of county commissioners.

Also:

S. 530. To amend Section 2 of Act No. 18, H. 6, First Special Session 1955, an act creating the Cullman County Commission on Education.

Also:

S. 532. To extend the boundaries of the City of Selma in Dallas County.

Also:

S. 540. To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

Also:

S. 541. To confer discretionary authority upon the Board of Commissioners of Madison County to appropriate from the general funds of the county sums of money, not to exceed five hundred dollars, for the payment of certain equitable and moral claims against the county, as the board may from time to time determine.

Also:

S. J. R. 39. Relating to school needs in the Town of Dora in Walker County.

Also:

S. J. R. 40. Relating to school needs in the Sumiton area of Walker County.

Also:

S. J. R. 58. Mourning the death of Dr. Jean Clark Browne of Shelby County.

Also:

S. J. R. 60. Recommending the proposed Seminar on ECONOMIC POTENTIAL IN ALABAMA.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Adams:

S. 613. To amend further Act No. 273, S. 292, approved August 7, 1947, (1947 Local Acts, p. 196), as amended and as last amended, which is designated "The Civil Service Act of Dothan".

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF HOUSTON.

Notice is hereby given that a bill substantially as follows will be introduced in the present session of the Legislature of Alabama and application for its passage and enactment will be made. to-wit:

AN ACT

To amend further Act No. 273, S. 292, approved August 7, 1947, (1947 Local Acts, p. 196), as amended and as last amended, which is designated "The Civil Service Act of Dothan".

Be It Enacted by the Legislature of Alabama:

Section (1): Section 2 of Act No. 273, S. 292, approved August 7, 1947, (1947 Local Acts, p. 196), as amended and as last amended, which is designated "The Civil Service Act of Dothan", is hereby further amended to read as follows:

"Section 2. DEFINITIONS. The following words, terms and phrases, wherever used in this Act, shall have the meaning respectively ascribed to them in this Section, unless the context plainly indicates a different meaning: 'Masculine Gender' shall comprehend all other genders; 'Committee' means the Citizens Supervisory Committee herein created; 'Board' means the Personnel Board herein authorized; 'Director' means the Personnel Director herein created; 'Appointing Authority' means a Department Head; 'Employee' means a person in the Classified Service herein set up and appointed by the Appointing Authority, unless herein expressly excepted; 'Classified Service' includes all offices, positions and employment in the City of Dothan as these offices, positions and employment now or may hereafter exist, the holders of which are paid whether by salary, wages or fees, in whole or in part from funds of the city, except those expressly placed in the 'Unclassified Service'; 'Employment Register' means typewritten lists containing the names of those applicants who have successfully passed mental tests for initial employment within the Classified Service for any specific position and which names are listed in the order of final grades attained on such tests from the highest grade attained to the lowest grade attained; 'Roster' means a typewritten list showing the names of persons employed in the Classified Service by Departments and the position occupied by each employee concerned; 'Tests' means written, oral or other methods of evaluation established by the Board or Director, to determine the merit, aptitude, knowledge of the job and general qualifications, other than physical, of applicants to fill initial positions within the Classified Service, or for the promotion of those Classified Employees presently assigned, to higher positions within the Classified Service, or for the purpose of reclassification or transfer of such employees into new or existing positions within the Classified Service; 'Public Hearing' means a meeting of the Board open to the public, where any citizen, taxpayer or other interested party may appear and be heard, subject to the duly adopted Rules and Regulations; 'Public Record' means a record which the members of the Public shall have the right to inspect, within reason and during ordinary business hours; 'Department Head' means (1) City Clerk-Treasurer in charge of the Administrative Department, (2) City Engineer in charge of the Engineering Department, (3) Electrical Superintendent in charge of the Electrical Department, (4) Fire Chief, (5) Chief of Police, (6) Superintendent of Recreation, (7) Superintendent of Sanitation, (8) Superintendent of Streets and (9) Superintendent of Water; 'Rules and Regulations' means a prescribed course of procedure adopted by the Board to promote the administration of the Provisions of this Act and the System hereby created; 'Promotional Register' means typewritten lists containing the names of those Classified Employees, presently assigned, who have successfully passed mental tests for promotion to higher positions within the Classified Service and which names are listed in the order of final grades attained on such tests from the highest grade attained to the lowest grade attained; and 'Examinations' mean physical fitness evaluation to include Annual or other Physical Examinations, Physical Fitness Examinations, Final Physical Examinations or any other type of Physical Examinations as prescribed by the Personnel Board or the Director to determine the physical fitness of initial applicants for employment within the Classified Service and the physical fitness of Classified Employees now assigned, to qualify physically for the positions they now occupy or expect to occupy within the Classified Service."

Section (2): Section 3 of said Act No. 273, S. 292, approved August 7, 1947, as amended and as last amended is hereby further amended to read as follows:

"Section 3. UNCLASSIFIED SERVICE. The following named officials, persons and agencies of the City shall constitute the 'Unclassified Service': (a) Officers elected by popular vote and their successors in office; (b) Principals, supervisors, teachers and instructors, engaged

in supervising or teaching in the public schools, and all employees of the City Board of Education; (c) The Personnel Director provided for by this Act; (d) Independent contractors receiving their remuneration from public funds under contract awarded by competitive bidding; (e) Common or temporary laborers; (f) Attorneys, physicians, surgeons, and dentists employed in their professional capacities; (g) The Judge of any municipal court; (h) Members of Boards who are not employed on a full-time basis and not required to devote their entire service to the City; and (i) Department Heads consisting of: (1) City Clerk-Treasurer in charge of the Administrative Department, (2) City Engineer in charge of the Engineering Department, (3) Electrical Superintendent in charge of the Electrical Department, (4) Fire Chief, (5) Chief of Police, (6) Superintendent of Recreation, (7) Superintendent of Sanitation, (8) Superintendent of Streets, and (9) Superintendent of Water."

Section (3): Section 6 of said Act No. 273, S. 292, approved August 7, 1947, as amended and as last amended is hereby further amended to read as follows:

"Section 6. CITIZENS SUPERVISORY COMMITTEE. The membership of the Citizens Supervisory Committee shall consist of qualified electors of the City of Dothan, who, upon the passage of this Act, are respectively the current president and the immediate past president or other chief executive officers by whatever name called of the following respective federated, national or international organizations, associations or groups whose primary function is civic or service, as distinguished from social or fraternal organizations, associations or groups, now existing in the City, and generally known as: (a) Chamber of Commerce, (b) Junior Chamber of Commerce, (c) Kiwanis Club, (d) Rotary Club, (e) Dothan Business and Professional Women's Club, (f) Dothan Council of Parent-Teacher Associations, (g) Pilot Club, (h) Lions Club, (i) Civitan Club, (j) League of Business and Professional Women, (k) Mid-Century Study Club, (l) Sesame Study Club, (m) New Century Study Club, (n) Altrusa Club, or any other like organization, association or group, after such organization, association or group shall have been approved for membership at a regular meeting of the then existing membership by three-fourths of such membership present and voting. Provided that if two or more separately chartered clubs, organizations or groups are active under either of the respective federated, national or international organizations, associations or groups herein designated, these such separately chartered clubs, organizations or groups shall be collectively represented on the Citizens Supervisory Committee as follows: the president or other chief executive officer by whatever name called of one such separately chartered club, organization, association or group shall serve one term as president and a second term as immediate past president. Representation on the Committee by these separately chartered clubs, organizations, associations or groups shall be rotated as determined by such separately chartered clubs, organizations, associations or groups, such determination to be certified to the Personnel Director. The organizational or first meeting of the Committee shall be held one week from the day this Act became effective, at the City Hall, at ten o'clock a.m. The failure of any one or more of those hereinabove designated to present themselves for membership on said Committee shall not affect the right of the remainder to constitute the membership unless there be less than a majority of members present. The Committee shall designate one of its own members as chairman, and he shall be permitted to vote only in the case of a tie. The proposed members of the Committee present, in the event less than a majority of the members attend any meeting, shall adjourn the meeting and call another meeting at a time and place to be then determined, in no event beyond five days. The designated Members of the Committee shall have the right, respectively, to serve as Members of the Committee during the period in which such members hold the position or office in the respective organization, as-

sociation or group above identified. Any qualified elector of the City of Dothan, during or subsequent to the adjournment of the organizational meeting, may file with the Chairman of the Committee written objections to the right of any person to sit on the Committee, however, no grounds of objections shall be considered except those based on the ground that the person objected to is not the designated officer of one of the identified organizations, associations or groups, or is not a qualified elector of the City of Dothan, and therefore not lawfully authorized to serve on the Committee. The chairman shall rule upon the objections in writing and the first order of business at the next meeting of the Committee shall be a report by the chairman of the objections and his ruling thereon. His rulings shall be final unless the objecting party within five days duly appeals to the Committee, in which event the seated members shall upon a hearing of the objection, after notice is duly given to the objecting party and the party objected to, determine the qualifications of the party objected to. The vote of a majority of the members of the Committee present shall govern in all matters if a quorum be present. The Committee may adopt, from time to time, such Rules and Regulations and modes of procedure as it deems expedient to enable it to dispatch its business in an orderly manner. The chairman may call upon the Chief of Police of the City to attend the meetings of the Committee and preserve order and execute the decisions, rules and orders of the Committee and of the chairman thereof. The chairman may punish for contempt of the Committee in like manner and extent as may be done by the Judges of the Circuit Courts of this State. The Personnel Director, when selected, shall act as secretary and such secretary shall be the keeper and custodian of the minutes, records, property and paraphernalia of the Committee, and he may call upon the Personnel Board to furnish such supplies and a safe place for keeping the records and property. The expense and costs of giving notice of meetings shall be paid in the manner provided in this Act. The Committee shall meet in regular session on the second Wednesday in each of the months of January, April, July, and October, at such hour as the Committee shall determine, to receive quarterly reports of the Personnel Board and to make such recommendations to the Board as it shall deem in the interest of the sound administration of this Act, to elect a successor of any member of the Personnel Board whose term of office expires before the next regular meeting of the Committee, and to transact such other business as may properly come before the Committee. The Chairman of the Committee or a majority of the members thereof may call special meetings of the Committee to transact any business which may have arisen. All meetings shall be held at the City Hall, or some other public meeting place designated by the chairman. Notice of all call-meetings of the Committee shall be given to members of the Committee by certified mail and also by publication, once each day for three consecutive days in some daily newspaper published within the City, giving at least five days notice of such meeting from the date of last publication; such notice must be signed by the persons calling the meeting and the purposes thereof shall be briefly outlined. Notice of regular meetings shall be given to members of the Committee by regular mail and also by publication by one insertion in some daily newspaper published within the City giving at least five days notice of such meeting, but failure of any member to receive notice of any meeting either regular or special shall not invalidate any act of the Committee transacted at such meeting. A majority of the persons serving as members of the Committee shall constitute a quorum to do business, but less than that number may adjourn, and may compel the attendance of the absent members, in such manner and under such penalties as may be prescribed by the Rules and Regulations promulgated by the Committee. The Committee shall serve without compensation and shall have general supervisory control of the Personnel Department."

Section (4): Section 30 of said Act No. 273, S. 292, approved August 7, 1947, is hereby amended to read as follows:

"Section 30. USE OF BUILDING. The officials of the City are hereby required to furnish the Personnel Department necessary facilities in City Hall for the conduct of its business, provided for under the Provisions of this Act, to include office space, office equipment and supplies."

Section (5): This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is General Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: May 31; June 7, 14 & 21, 1965 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 22nd day of June, 1965.

EUGENE S. McCLINTIC,
Notary Public.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Goodwyn and Pierce:

H. J. R. 97. Be It Resolved by the House of Representatives of the State of Alabama, the Senate concurring, that we respectfully request the Congress of the United States to propose to the people an amendment to the Constitution of the United States, or to call a convention for such purpose as provided by Article V of the Constitution, an article providing as follows:

"ARTICLE _____

"Section 1. The Government of the United States nor the governments of the several states shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

"Section 2. The Constitution or laws of any State, or the laws of the United States shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

"Section 3. The activities of the United States Government which violate the intent and purposes of this amendment shall, within a

period of three (3) years from the date of ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"Section 4. Three (3) years after the ratification of this amendment, the sixteenth Article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts."

Be It Further Resolved that a certified copy of this Resolution be forwarded by the Secretary of State to the President of the United States Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 97, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Judiciary.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 449, without his approval.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 17, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 449, without my signature and approval.

This said Senate Bill 449 is identical to House Bill 898, which was signed into law on August 10, 1965, and is now Act 385.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Allen, the Senate sustained the veto of His Excellency, the Governor, to the Bill, S. B. 449, which said veto is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Brannan	Hornsby	McDow	Robison (Pickens)
Carter	Horton	Nichols	Smith
Clark	James	Oden	Taylor
Eddins	Lolley	Reynolds	Wilson
Evans	Lowe		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Drake:

H. J. R. 149. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we lament the untimely death of Mr. William H. Drinkard, a popular and widely known civic, industrial and political leader, formerly the State Finance Director, a member of the State Board of Pardons and Paroles, the Director of the State Conservation Department, and the Executive Director of the Tennessee-Tombigbee Waterway Improvement Authority. The two houses of the Legislature unite in honoring Mr. Drinkard and extending sympathy to his family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Allen, the Rules were suspended and the Resolution, H. J. R. 149, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Rast, Pierce, Little, Goodwyn, Goldthwaite, Etheredge, Bethea (B), Morrow, Meeks, Locke, Sessions, Vacca, Bowers, Dunnick, Brown (Jefferson), Gilmore, Bailes, Hawkins, Collins (Jefferson) and Bethea (M):

H. J. R. 150. WHEREAS the National Blind Golfers Tournament will be held at the Montgomery Country Club on September 8, 9 and 10 under the sponsorship of the Montgomery Jaycees and the Jaycees of America; and

WHEREAS this tournament of nation-wide interest will bring eighteen blind golfers of exceptional skill and ability together with their coaches from throughout the United States, centering much favorable national attention on this State; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body heartily commends the Jaycees for bringing this outstanding and inspirational group to Alabama and gives its unqualified support to the tournament for which it wishes every success.

RESOLVED FURTHER that copies of this resolution be sent to Mr. Charlie Boswell of Birmingham, President of the National Blind Golfers Association, and to the Montgomery Jaycees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 150, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Moore, Slate and Brewer:

H. J. R. 151. WHEREAS Robert Lee Almon, prominent attorney of Moulton and Lawrence County, who had practiced law for the past fifty-three years died August 13, 1965; and

WHEREAS Mr. Almon who had been a member of the first graduating class of Lawrence County High School, and later graduate of the University of Alabama Law School, studied further at Oxford University in England; and

WHEREAS Mr. Almon served his country during World War I as an officer of the 336th Machine Gun Battalion in France, was later responsible in organizing the American Legion Post 25 of Moulton and served as its first commander, and also aided in organizing the Alabama National Guard in Moulton in which he obtained the rank of Lieutenant-Colonel; and

WHEREAS Mr. Almon who was county solicitor for nineteen years, was a member of the American Bar Association, the State Bar, Masonic Lodge 6, charter member of the Eastern Star 212, charter member of the Moulton Lions Club, and was active in other endeavors for the betterment of his State and community; and

WHEREAS Mr. Almon is survived by his widow, Mrs. Julia Almon; three sisters, Mrs. George Almon, Decatur; Mrs. H. N. McMillan, Moulton; Mrs. Paul Horton, Hillsboro; one brother, Mr. Nathaniel Almon of Huntsville; and several nieces and nephews; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply regrets the passing of Mr. Almon, and extends its sincere sympathy to the surviving members of his family.

RESOLVED FURTHER that a copy of this resolution shall be sent to his widow, Mrs. Robert Lee Almon of Moulton.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Gilchrist, the Rules were suspended and the Resolution, H. J. R. 151, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 62. BE IT RESOLVED BY THE SENATE That the following shall be the special, paramount and continuing order of business, today, immediately upon its adoption, superseding all and any prior special, paramount and continuing orders of business:

Senate Bill 128 on Page 11.

Which was adopted.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the unfinished business for today, which was the Bill:

H. 144. To make a conditional appropriation from the Alabama special educational trust fund for the reconstruction of the John Essex School, in Marengo County, and for replacement of equipment destroyed by fire.

The question was on the amendment offered by Mr. McCain, which said amendment is set out in the Journal of the Senate for the Thirty-Third Legislative Day.

MOTION TO ADJOURN

Mr. Cooper moved that when the Senate adjourns today, it adjourn to meet again on Thursday, August 19, 1965, at 10 o'clock A. M., which motion was adopted.

FURTHER CONSIDERATION OF H. B. 144

The Senate proceeded to further consideration of the Bill, H. B. 144. The question was on the amendment offered by Mr. McCain.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1001. To provide that in all counties having a population of more than 600,000 inhabitants according to the last or any succeeding census, it shall be unlawful for any person to file for record certain legal documents that do not have legibly printed, typewritten or stamped thereon the name and address of the person or persons who prepared such legal documents, and to provide that it shall be a misdemeanor for anyone to falsify said statement; and To further provide that in all such counties, the judge of probate shall not be liable in damages or penalty for any error or mistake in the performance of the duties prescribed by this Act if committed in good faith.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 1001:

Amend H. B. 1001 by striking therefrom Section 4 and adding in lieu thereof the following:

"Section 4. Section 1 of this Act shall not apply to any will, decree, court order or judgment; to any instrument executed or acknowledged prior to the effective date hereof; nor to any instrument executed or acknowledged outside of the county or counties to which this Act applies."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	James	Montgomery	Taylor
Dumas	Lolley		

—25

Nays:

—0

And said Bill, H. B. 1001, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Carter	James	Montgomery	Taylor
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1030. To provide that in every county of the State having a population of 500,000 or more, according to the last or any subsequent federal census, primaries for the nomination of candidates for certain offices, designated in this act, shall be held at the time specified in this act and the general election to fill such offices shall be held at the time specified in the act; to provide, with respect to such primaries, that the first primary shall be held on the first Tuesday following the 15th of July next preceding the general election of said officers and that the run-off primary, if necessary, shall be held on the fourth Tuesday following the first primary; to provide that the general election of each of such officers shall be held on the first Tuesday in the October next preceding the expiration of the term of the person then holding the office; to provide that this act shall apply to the offices held by the following: the Judges of the Circuit Court where only qualified electors of said county or only qualified electors of a part of said county are entitled to participate in the election of the Circuit Judges serving in the county; the Circuit Solicitor where only qualified electors of said county are entitled to participate in his election; the members of the governing body of the county; the Probate Judge; the Sheriff; the Tax Collector; the Tax

Assessor; the County Treasurer; justices of the peace; constables; the deputy of any of the foregoing officers where such deputy is elected by the voters residing in a designated part of the county; any other county officer elected at or in an election at or in which only the qualified electors of said county or the qualified electors of a designated part of said county are entitled to vote; and any party officer elected at a primary election in which primary election of such party officer only the qualified electors of the county or a part of the county are entitled to vote.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Shelton
Clark	Hornsby	Metcalf	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Wilson
Eddins	Lolley		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Holladay:

H. 969. To amend Act No. 173, H. 490, Regular Session 1953, an act creating an inferior court in St. Clair County, so as to provide for appointment of a clerk or clerks for the court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 173, H. 490, Regular Session 1953, an act creating an inferior court in St. Clair County, so as to provide for appointment of a clerk or clerks for the court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 173, H. 490, Regular Session 1953, an act creating an inferior court in St. Clair County (Acts 1953, v. 1, p. 217), is hereby amended to read as follows:

"Section 7. The court of county commissioners, board of revenue, or other like governing body of St. Clair County may provide for appoint-

ment of a clerk or clerks for the Inferior Court, and may provide for payment of his or their compensation out of the county treasury. If such a clerk be appointed, he shall take the oath of office required of circuit court clerks and give bond in such penal sum as the governing body of the county may prescribe. The premiums on such bond shall be paid from the general funds of the county. Provided, if such clerk or clerks be not appointed and provided for by the county governing body as herein authorized, the clerk of the circuit court of St. Clair County shall be ex-officio clerk of the Inferior Court of St. Clair County, and all duties performed by or required of said clerk shall be by virtue of his being clerk of the circuit court. However, the clerk of the circuit court before entering upon the duties required of him as clerk of the Inferior Court, shall execute an additional bond in the amount of \$2,000, to be approved by the judge of probate of St. Clair County, and filed in the office of the judge of probate of said county, said bond to be conditioned in the same manner as now required of the bonds of the clerks of the circuit courts. The clerk of the circuit court shall not be entitled to receive any compensation for the performance of his duties as clerk of the Inferior Court.

"All fines, forfeitures and other money collected by the clerk for the State of Alabama shall be remitted monthly by the clerk to the appropriate department, agency, or official of the State of Alabama now designated by law for the receipt of such money. All fines, forfeitures and other money collected by the clerk for St. Clair County shall be paid monthly by said clerk into the fine and forfeiture fund of St. Clair County. The fees accruing to the judges, sheriff, and witnesses, when collected, shall be paid directly to those persons or officers entitled thereto."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Pat G. Cobb, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the St. Clair News-Aegies, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6/10, 6/17, 6/24, and 7/1, all in the year 1965.

PAT G. COBB.

Sworn to and subscribed before me July 12, 1965.

ETHEL BLAIR,
Notary Public.

Also:

By Messrs. Engel, McDermott and Hogan:

H. 1069. To amend further Act No. 470, H. 952, of the Regular Session of 1939 (Local Acts 1939, p. 298) which creates and establishes the countywide civil service system in Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Mobile.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act. No. 470, H. 952 of the Regular Session of 1939 (Local Acts 1939, p. 298) which creates and establishes the county-wide civil service system in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections I, II, and VII of Act No. 470, H. 952 of the Regular Session of 1939 (Local Acts 1939, p. 298), which creates and establishes the countywide civil service system in Mobile County, are hereby amended to read as follows:

"Section I. DEFINITIONS. In this Act, words used in the masculine gender include the feminine and neuter genders, and words used in the neuter gender include the masculine and feminine genders. The following words, terms, and phrases, wherever used in this Act, shall have the meanings respectively ascribed to them in this Section unless the context plainly indicates a contrary meaning: (1) 'Committee' means the Supervisory Committee created by this Act. (2) 'Board' or 'The Board' means the Personnel Board created by this Act. (3) 'Municipality' or 'Such Municipality' or 'City' means a duly incorporated town, village, or city within Mobile County. (4) 'Director' means the Personnel Director created by this Act. (5) 'Appointing Authority,' or 'Appointing Power' means a person, officer, board, commission, or other body or person whose lawful jurisdiction or powers are confined wholly or primarily within the territorial limits of Mobile County, or any incorporated city or town therein, and who or which have the power to make appointments to offices or positions of employment or trust in any of the Classified Service as in this Act defined. (6) 'Employee' or 'Appointee' means a person in the Classified Service herein set up and appointed by an Appointing Authority, unless herein specifically excepted. (7) (a). The 'Classified Service' includes all offices, positions, and employment in Mobile County or any such city therein as these offices, positions and employment now exist or as they may hereafter exist, the holders of which are paid whether by salary, wages or fees in whole or in part from public funds of Mobile County or any such city, or the holders of which receive their compensation from any elected official or Appointing Authority and perform duties pertaining to the office of such elected official or officer, or other Appointing Power, except those placed in the 'Unclassified Service' by Section Two hereof. (7) (b). It is also intended that the classified service shall include all personnel of any public corporation, board, committee, or commission, appointed or created by the governing body of any such county or municipality, whether or not the salaries, wages or compensation of such officers or employees are paid directly by such county or municipality; except any such employees which may be excluded under the provisions of subsection (7) (c) here following; provided the appointive members of any such public corporation, board, committee or commission shall not be so included. (7) (c). The Classified Service, shall not, however, be deemed to include any employees of any such public corporation, board, committee, or commission, appointed or created by the governing body of any such county or municipality as defined in subsection (7)

(b) herein, where such employees are covered by a bargaining agreement with a recognized union as of January 1, 1966. (8) 'Employment Register' means records containing names of those persons who have successfully completed their prescribed tests, listed and ranked in order of their final earned average from the highest to the lowest. (9) 'Roster' means records of persons in the Classified Service, containing information as to their service. (10) 'Tests' means written and/or oral examination and/or other methods established by rules and regulations of the Board and/or the Director as herein provided, to determine the merit, efficiency, and general fitness of applicants for positions. (11) 'Public Hearings' means a meeting of the Board, open to the public, whereat any citizen, taxpayer, or party at interest may appear and be heard subject to such rules and regulations as may be fixed by the Board. (12) 'Public Record' means a record which the public shall have the right to inspect in a reasonable manner during ordinary business hours. (13) 'Rules' means the regulations adopted by the Board for carrying out the provisions of this Act.

"Section II. UNCLASSIFIED SERVICE: The following shall be in the Unclassified Service: (1) Officials elected by popular vote and, in case of death, resignation, or removal, their legal substitute; (2) Where by present law official duties of any officer mentioned in subdivision One of this section are or may be performed by a chief assistant appointed by him, such chief assistant; (3) Principals, supervisors, teachers and instructors in the Public Schools engaged in teaching and/or supervising teaching, and all employees of the Mobile County School Board; (4) The Personnel Director provided for by this Act; (5) Independent contractors receiving their remuneration from public funds under contracts awarded by competitive bidding; (6) Persons in the 'Classified Service' within the meaning of and subject to the State of Alabama merit system under any present or future law, and so long as any such law remains effective. (7) Common laborers not engaged in regular employment. (8) Attorneys, physicians, surgeons, and dentists employed in their professional capacities. (9) The Judge of any Court. (10) Members of Board who are not employed on a full time basis and are not required to devote their services exclusively to such counties and cities therein. (11) Any person whose employment is subject to the approval of the United States Government or of any agency thereof. (12) Chief hospital administrator and interns, student technicians, and student nurses while undergoing training in a hospital maintained by public funds.

"Section VII. PERSONNEL BOARD: The Personnel Board shall consist of three members designated respectively as Member Number One, Member Number Two, and Member Number Three, each of whom shall be over 21 years of age, of recognized good character and ability, a bonafide resident and a qualified elector of Mobile County, and shall not, when appointed, nor for the three years then next preceding the date of his appointment have held public office, nor have been a candidate for such. If any person actively solicits a position on such Board, the Committee may, for this reason, refuse to consider his appointment. The Board shall meet once a month on dates to be fixed by its Rules and regulations and as much oftener as shall be necessary for the orderly dispatch of its business. The members of the Board shall be selected for the following terms and in the following manner: The Supervisory Committee of the Mobile County Personnel Board shall, within thirty days after September 15, 1939, appoint all three members and shall appoint the successors of said Board Members within thirty days after a term expires or a vacancy occurs. Member Number One shall hold office for a term of two years beginning on September 15, 1939, and until his successor is appointed and has qualified. His successors shall hold office for terms of six years, the first of which shall begin September 15, 1941, and the subsequent terms shall begin each six years thereafter. Member

Number Two shall hold office for a term of four years beginning on September 15, 1939, and until his successor is appointed and has qualified. His successors shall hold office for terms of six years, the first of which shall begin September 15, 1943, and the subsequent terms shall begin each six years thereafter. Member Number Three shall hold office for a term of six years beginning on September 15, 1939, and until his successor has been appointed and has qualified. His successors shall hold office for terms of six years, the first of which shall begin on September 15, 1945, and the subsequent term shall begin each six years, thereafter. In the event of a vacancy on the Board occasioned by death, resignation, impeachment or other cause, such vacancy shall be filled by the Supervisory Committee of the Mobile County Personnel Board for the then unexpired term. Each Member shall receive twenty dollars for each meeting of the Board provided no Member shall receive more than Eighty Dollars (\$80.00) compensation for services during any one month. This compensation shall be paid as provided in Section 30 hereof. It shall be the duty of the Board as a body: (1) To select a Personnel Director as hereinafter provided in Section 9 of this Act. (2) After a Public Hearing or Hearings to adopt and amend Rules and regulations for the administration of this Act, as hereinafter provided. (3) After a Public Hearing or Hearings to adopt, modify, or reject such Classification and Compensation Plans for the Classified Service together with Rules for their administration, as may be recommended by the Director after a thorough survey by him of the personnel and departmental organizations included in such plan or plans. (4) To make such investigations as, in the Board's opinion, are reasonable, either on petition of a citizen, taxpayer, or party at interest, or of its own motion, concerning the enforcement and effect of this Act, and to require observance of its provisions and the Rules and Regulations made pursuant hereto. (5) conduct hearings and to render decisions, as hereinafter provided, on charges preferred against persons in the Classified Service. (6) To make such investigations as, in the Board's opinion, are reasonable, as may be requested by the governing bodies of the County or of any City, therein or by the Supervisory Committee and to report thereon to the governing body or Committee requesting same. (7) To consider and act on such matters as may be referred to the Board by the Director. (8) To represent the public interest in the improvement of personnel administration in the Classified Service. (9) To advise and assist the Director in fostering the interest of institutions of learning, civic, professional, and employe organizations in the improvement of personnel standards in the Classified Service. (10) To elect at the regular monthly meeting in April of each year one of its members to serve as Chairman of the Board for the ensuing twelve months. Should the Personnel Board fail to elect the Chairman within thirty days after the regular monthly meeting in April of each year, then such a Chairman shall be elected by the Supervisory Committee of the Mobile County Personnel Board. (11) Whenever by law or Rules of the Personnel Board any positions in the service of Mobile County or of any municipality or of any other Appointing Authority within Mobile County, are duly transferred to and designated as positions in the Classified Service, or whenever a municipality or other Appointing Authority shall hereafter become subject to the provisions of this Act, if such municipality or Appointing Authority at the time of becoming subject to this Act had in its employment employees or appointees in positions within the Classified Service, as defined in this Act, the Personnel Board may, in its discretion, continue any or all persons employed by the county, a municipality, or other Appointing Authority in the same positions which they, respectively, held when such positions became subject to this Act, without examination. Such employees shall thereby be given a permanent status and their continued employment, promotions and discharges shall in all matters be subject to and governed by this Act. It is the intent of this Act that all present employees or appointees of the County, any Municipality,

Agency or other Appointing Authority who were not in the Classified Service prior to the passage of this Act, may in the Personnel Board's discretion, be blanketed in the Classified Service and continue to hold the same position, with they, respectively, held when such positions became subject to this Act. The Board shall also have the authority, functions, and duties as in other sections of this Act provided."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, June 29, July 6, 13, 20, 1965.

E. E. KOCH.

Sworn to and subscribed before me This 22 day of July 1965.

ROSALIE PERGANTIS,
Notary Public.

Also:

By Messrs, Merrill, Albea and Nabors:

H. 1267. To apply in all counties in this state having populations of not less than 76,000, and not more than 116,000, according to the latest or any subsequent federal decennial census, and to provide for and authorize the introduction in evidence in any court in Alabama in such counties, when relevant and material, certified copies of hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, clinical, hospital, occupational, disease, injury and disability histories, X-rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as employees of such hospital, forming a part of such hospital records, as to the health, physical and mental condition, state, sickness, disease, mental and physical disorders, damages, duration and character of disabilities, diagnosis, prognosis, progress, operations, incisions, injuries, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicines, treatment and care and charge sheets and the costs, expenses, fees and charges therefor and thereof, as to and of a patient in said hospital, when the custodian of such hospital records certifies and affirms in writing that the same are an exact, full, true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records but they shall not affect their admissibility; and to provide for the cost and the taxing thereof for said copy and certificate and affirmance in writing thereto and the filing of said copy with the clerk or register of the court having jurisdiction of the suit or proceeding, and to provide for subpoena duces tecum therefor.

Also:

By Mr. Salter:

H. 1269. To apply only in counties having populations of not less than 17,400 nor more than 17,800; providing for payment of an expense allowance to the superintendent of education of any such county.

Also:

By Mr. Steagall:

H. 1270. To regulate the compensation and allowances of regular jurors serving in court in Dale County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To regulate the compensation and allowances of regular jurors serving in court in Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Dale County regular jurors, grand and petit, shall be entitled to eight dollars for each day's service, five cents for each mile traveled in going to and returning from court each day, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be payable from the county treasury and shall also be receivable in payment of county taxes as provided in Code 1940, Title 11, Section 98.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA DALE COUNTY.

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for four (4) consecutive weeks, said notice having appeared in the issue of said paper on July 15, July 22, July 29, and August 5, 1965.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 9th day of August, 1965.

CELESTE A. WOODS,
Notary Public.

Also:

By Messrs. Burns, Nabors and Owens:

H. 1273. To apply only in counties having a population of not less than 96,000 nor more than 116,000 inhabitants according to the 1960 or any subsequent decennial census of the United States; Providing for an Administrative Consultant to the Circuit Clerk of such Counties of Alabama, and to prescribe the qualifications, duties, compensation, and terms of such Administrative Consultants.

Also:

By Mr. Hester:

H. 1274. To amend and extend the corporation limits of the City of Russellville, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the following local bill will be introduced for passage in the present session of the Legislature of Alabama:

A BILL TO BE ENTITLED AN ACT

TO AMEND AND EXTEND THE CORPORATION LIMITS OF THE CITY OF RUSSELLVILLE, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Russellville, Alabama are hereby amended and extended to include within said city the following additional territory:

That portion of the NW $\frac{1}{4}$ of Section 7, Township 7, Range 11 that lies East of the Waterplant Road;

NW $\frac{1}{4}$ of Section 8, Township 7, Range 11:

NE $\frac{1}{4}$ of Section 7, Township 7, Range 11;

S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8, Township 7, Range 11 West that lies West of Pebble Road;

SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 6, Township 7, Range 11 West;

All those portions of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7, Township 7, Range 11 West that lies East and North of Waterplant Road.

STATE OF ALABAMA,
FRANKLIN COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, co-owner and editor of the Franklin County Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin County

Times for 4 consecutive weekly issues beginning with the issue of July 15, 1965 and ending with the issue of Aug. 5, 1965.

CLAUDE E. SPARKS.

Subscribed and sworn to before me, this the 5 day of August 1965 at Russellville, Ala.

MAE G. STREIT,
Notary Public.

My commission expires 2/19/66

Also:

By Mr. Campbell (Jackson):

H. 1276. To authorize the establishment of Branch Banks in Jackson County.

With notice and proof thereto attached and herewith exhibited as follows:

LOCAL BILL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To allow branch banking under described conditions in Jackson County.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply in Jackson County only.

Section 2. Any bank, either incorporated or unincorporated within this state and situated in such county shall have the power to establish, to maintain, and operate within the limits of any such county, where the principal place of business of such bank is situated, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payment of checks, lending of money and the conduct of a general banking business, provided that such bank before establishment of any such branch or branches shall first secure the written consent thereto of the State Superintendent of Banks or the Comptroller of the Currency. It is provided further that no bank shall establish, maintain and operate such a branch within any incorporated municipality in the county in which a bank is already established, other than the municipality in which its principal place of business is situated.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 18, July 25, Aug. 1, and Aug. 8, all in the year 1965.

FRED J. BUCHHEIT.

Sworn to and subscribed before me Aug. 9, 1965.

EVELYN TUBBS,
Notary Public.

Also:

By Mr. Fite:

H. 1278. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Glen Allen, in Marion County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the Town of Glen Allen, in Marion County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Glen Allen, in Marion County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said town all of the following described territory:

N $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and E $\frac{1}{2}$ of NE $\frac{1}{4}$, Section 13, Township 13 South, Range 12 West; SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 12, Township 13 South, Range 12 West; W $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 7, Township 13 South, Range 11 West, Marion County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall go into effect on its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 16, July 23, July 30, and August 6, all in the year 1965.

W. D. SMITH, JR.

Sworn to and subscribed before me August 9, 1965.

ANN SIMS,
Notary Public,
State of Alabama at Large.

Also:

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 1280. To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. Sections 7 and 8 of Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County (Acts 1963, v. 1, p. 503) are hereby amended to read as follows:

"Section 7. An applicant, at the time of filing an application for a license under this act, shall pay to the judge of probate the sum of two hundred fifty dollars (\$250) for each machine operated in Madison County by such person, firm, or corporation, if such applicant is a resident of Madison County; or the sum of three hundred fifty dollars (\$350) for each machine operated in Madison County by such person, firm, or corporation, if the applicant is a nonresident of Madison County. The health officer shall assign and affix in a conspicuous place a number to each machine so licensed. The license fees collected hereunder shall be paid into a special fund of the county to be used in enforcing the provisions of this act.

"Section 8. Except as othrwise specifically provided herein, the licenses shall be annual, beginning on the first day of October of each year and ending on the 30th day of September of each year, and each license issued shall expire on the 30th day of September following its issuance. Any license on any machine to be placed in operation after the 30th day of February of each year for which it is issued may be issued after payment of one-half of the annual license required for the subject of such license. Any machine placed in operation without the license having been paid thereon shall be deemed delinquent and there shall be added thereto a penalty of fifteen percent of the amount of such delinquent license, the penalty to be paid over to the county license inspector."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared IRIS OSBORNE, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was CLASSIFIED MANAGER of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 24, JULY 28, AUGUST 3, and AUGUST 9, all in the year 1965.

IRIS OSBORNE.

Sworn to and subscribed before me 9th day of August, 1965.

RUTH C. HIGDON,
Notary Public.

My Commission Expires 1/11/68

Also:

By Messrs. Moore, Slate and Brewer:

H. 1283. To amend further Act No. 477, H. 861, Regular Session 1955 entitled "An Act to provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance" (Acts 1955, vol. II, p. 1084).

Also:

By Mr. Turner (Limestone):

H. 1277. To alter or rearrange the boundary lines of the Town of Elkmont, Limestone County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

DESCRIPTION OF THE TOWN
OF ELKMONT, ALABAMA

This description circumscribes the present town and adjacent lands surrounding said town of Elkmont, Alabama to make the present town of Elkmont.

This land includes all of Section 29, the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the east part of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the east part of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ in Section 30 and all in Township 1 South, Range 4 West according to the Government Survey of the State of Alabama and it is more particularly described as follows: **Begin at the southeast corner of said Section 29, thence west along the south line of Section 29 for one mile to the southwest corner of said section, thence north along the west line of said Section 29 for $\frac{3}{8}$ mile to the southeast corner of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 30, thence west along the south line of the said N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 30 for approximately 2,100 feet to the center of Alabama Highway Number 127, thence northerly along the center line of said Highway Number 127 for $\frac{1}{8}$ mile to the south line of the NE $\frac{1}{4}$ of said Section 30, thence N 0° 00' W (Magnetic Bearing) for $\frac{1}{2}$ mile to the north line of said Section 30, thence east along the north line of said Section for approximately 2,150 feet to the northeast corner of Section 30, thence continue east along the north line of Section 29 for 1 mile to the northeast corner of Section 29, thence south along the east line of Section 29 for 1 mile to the point of the beginning.**

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
LIMESTONE COUNTY.

Personally appeared before me the undersigned authority in and for said county and state, Steele McGrew, who after being duly sworn deposes and says:

My name is Steele McGrew. I am editor and publisher of The Limestone Democrat a newspaper of general circulation, published weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for 4 consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 20 day of July, 1965, July 27, Aug. 3 and the last copy of said publication appearing in the said paper on the 10 day of Aug., 1965.

STEELE MCGREW.

Sworn and subscribed to before me this 10 day of August, 1965.

LEON L. ORR,
Notary Public.

My Commission Expires 8-6-1967.

Also:

By Messrs. Vacca, Locke, Brown (Jefferson), Meeks, Bowers, Sessions, Bethea (M), Hawkins and Gilmore:

H. 1275. To provide that in all counties having a population of more than 600,000 inhabitants according to the last or any succeeding census, the towns or municipal corporations located therein are prohibited authority to impose any tax which will or can be levied on any transaction or sale of personal property by an itinerant or route salesman outside the police jurisdiction of such town or municipal corporation.

Also:

By Messrs. Rogers and McDermott:

H. 1281. To regulate the commissions payable to the general guardian appointed by the judge of probate in any county having a population of not less than 300,000 nor more than 600,000.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 969, 1069, 1267, 1269, 1270, 1273, 1274, 1276, 1280, 1283, 1277, 1275 and 1281. To the Committee on Local Legislation.

H. B. 1278. To the Committee on Banking.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 548. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

S. 550. To provide an expense allowance for the judges of probate in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

Also:

S. 551. To amend Section 1 of Act No. 173, H. 152, Regular Session 1961 (Acts 1961, p. 217), an act entitled "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000", so as to regulate further the per diem payable to members of such jury commissions.

Also:

S. 553. Relating to all counties having populations of not less than 22,350 nor more than 24,350, according to the most recent federal decennial census; amending Section 1 of Act No. 288, H. 935, Regular Session 1963 (Acts 1963, p. 732).

Also:

S. 559. To amend Act No. 401, H. 971 of the Regular Session of 1963, an act authorizing any municipality having a population of not less than seventy thousand nor more than one hundred thirty thousand to create a planning commission having certain powers, duties, and regulations, in relation to the membership of the planning commission.

Also:

S. 562. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing for the compensation of members of the jury commissions in such counties.

Also:

S. 517. Relating to counties having a population of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

H. J. R. 152. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, that when the two Houses adjourn today they adjourn to meet again on Thursday, August 19, and when they adjourn on August 19, they adjourn to meet again on Thursday, August 26, 1965.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mathews, the Rules were suspended and the Resolution, H. J. R. 152, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 725. To amend further Section 788 of Title 37, Code of Alabama 1940, as amended, relating to municipal planning commissions in all cities having populations of not less than 200,000 nor more than 300,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 726. Further amending Section 781, Title 37, Code of Alabama 1940, as amended; prescribing certain qualifications for membership of the board of adjustment in cities of not less than 200,000 nor more than 300,000 population according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1022. To provide clerk-hire allowance for certain officers of all counties having populations of not less than 21,850 nor more than 21,950.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1041. Relating to counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; to provide an expense allowance for the judge of probate of any such county.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1210. To apply only in counties having populations of not less than 32,000 nor more than 33,500; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 215, Acts of Alabama 1964, page 297, First Special Session.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 202. To amend Section 119 of Title 5, Code of Alabama, 1940.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1002. To provide for the sale and transfer of the assets and facilities and for the merger and dissolution of public improvement authorities in counties having a population of 500,000 or more according to the last or any subsequent federal census which have been or may be created or organized under Chapter 3, of Title 50, of the 1958 Recompiled Code of Alabama (General Acts 1935, page 72, as amended by General Acts, 1956, 2nd Extra Session, page 359, and by General Acts, 1957, page 611); and to provide for the payment or assumption of all obligations of such authority or authorities in the event of any such merger, sale or dissolution.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1019. Relating to the development of the Elk River Watershed area; creating the Elk River Development Agency as an agency of the State of Alabama for such purpose; providing for its incorporation as a public body corporate; prescribing its authority, powers, duties, functions, and management; authorizing the agency to issue bonds, and the counties of Lauderdale and Limestone and municipalities therein to contribute funds and levy taxes for its use.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1159. Proposing an Amendment to the Constitution of Alabama to authorize a district hospital tax in Baldwin County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 449. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Bear Creek Development Authority, for the development of Bear Creek, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes; to provide for the composition of the

board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Bear Creek watershed, to determine requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a non-foreclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of the Authority, of bonds and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion, Colbert, Franklin and Winston Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges of Probate; to provide that the Authority shall be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the State by the Authority; and to provide for certain annual reports by the Authority.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Callahan:

H. J. R. 157. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, S. B. 14, which has passed both houses be designated and known as "The Nichols-Sullivan Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mathews, the Rules were suspended and the Resolution, H. J. R. 157, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Casey and Young:

H. J. R. 154. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we mourn the death of and hereby pay our respects to the memory of one of this State's elder statesmen, Mr. William H. Howle, formerly a member of each house of this Legislature, a native of Cleburne County, who throughout his ninety-one years made his home in that county, where he was an outstanding civic and political leader.

RESOLVED FURTHER, that we extend our condolence to the seven sons and four daughters who survive Mr. Howle.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mathews, the Rules were suspended and the Resolution, H. J. R. 154, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered and again passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

H. 1079. Relating to counties having populations of not less than 51,000 nor more than 56,000; providing an additional appropriation for the tax collectors of such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1079. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

By Mr. Roberts:

S. J. R. 48. Proposing an amendment to the Constitution of Alabama relating to the economic development of Madison County and the City of Huntsville.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 144

The Senate proceeded to further consideration of the Bill, H. B. 144. The question was on the amendment offered by Mr. McCain, which said amendment is set out at length in the Journal of the Senate for the Thirty-Third Legislative Day, and said amendment was then adopted by the Senate.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Cooper	Horton	Reynolds
Adams	Dumas	James	Roberts
Allen	Eddins	Lowe	Robison (Montgomery)
Bentley	Evans	Mathews	Robison (Pickens)
Brannan	Gilchrist	McCain	Smith
Carter	Givhan	McDow	Wilson
Clark	Hawkins	Oden	—26

Nays: Messrs.: Lolley, Shelton, Taylor —3

And said Bill:

H. 144. To make a conditional appropriation from the Alabama special educational trust fund for the reconstruction of the John Essex School, in Marengo County, and for replacement of equipment destroyed by fire.

as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Cooper	James	Reynolds
Adams	Eddins	Lolley	Robison (Montgomery)
Allen	Evans	Lowe	Robison (Pickens)
Bentley	Gilchrist	Mathews	Smith
Brannan	Givhan	McCain	Taylor
Carter	Hawkins	McDow	Wilson
Clark	Horton		—25

Nays: Messrs.: Roberts, Shelton —2

MOTION TO RECESS LOST

At 5:55 P. M., Mr. Horton moved that the Senate take a recess until 8:15 o'clock this evening, which motion was lost.

Yeas 11; Nays 18.

Yeas:

Messrs.:	Gilchrist	Oden	Robison (Pickens)
Dumas	Hawkins	Reynolds	Shelton
Eddins	Horton	Robison (Montgomery)	Smith
			—11

Nays:

Messrs.:	Carter	James	Nichols
Adams	Cooper	Lolley	Roberts
Allen	Evans	McCain	Taylor
Bentley	Givhan	McDow	Wilson
Brannan	Hornsby	Montgomery	

—18

BILLS ON THIRD READING RESUMED**The Bill:**

S. 46. To amend Section 21 of Title 17, Code of Alabama 1940, so as to substitute the lieutenant governor for the state auditor as a member of the board of appointment of registrars.

was taken up.

MOTION TO RECESS LOST

At 6:35 P. M., Mr. Horton moved that the Senate take a recess until 8:15 o'clock this evening, which motion was lost.

Yeas 13; Nays 16.

Yeas:

Messrs.:	Evans	Horton	Robison (Pickens)
Bentley	Gilchrist	McCain	Shelton
Dumas	Hawkins	Robison (Montgomery)	Smith
Eddins	Hornsby		

—13

Nays:

Messrs.:	Givhan	Lowe	Nichols
Brannan	Hammond	Mathews	Reynolds
Carter	James	McDow	Roberts
Clark	Lolley	Montgomery	Taylor
Cooper			

—16

BILLS ON THIRD READING RESUMED

The Senate proceeded to further consideration of the Bill:

S. 46. To amend Section 21 of Title 17, Code of Alabama 1940, so as to substitute the lieutenant governor for the state auditor as a member of the board of appointment of registrars.

And said Bill was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 27; Nays 2.

Yeas:

Messrs.:	Dumas	Horton	Nichols
Adams	Eddins	James	Reynolds
Allen	Evans	Lolley	Roberts
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Hammond	Mathews	Robison (Pickens)
Carter	Hawkins	McCain	Smith
Clark	Hornsby	McDow	Taylor

—27

Nays: Messrs.: Cooper, Givhan

—2

The Bill:

S. 128. To create the State Employees' Insurance Board and authorize such Board to provide a health insurance plan for employees of the State of Alabama; to define the terms used in this Act; to provide for the contents of such health insurance plan and to define eligibility requirements for participation in such plan; to authorize the Board to execute contracts to provide benefits under such plan; to authorize the inclusion of retiring state employees and the dependents of state employees and retiring state employees in such plan; to provide for the payment of benefits under such plan; to provide for a State Employees' Insurance Fund and for contributions thereto; to provide for the financing of the health insurance plan; to authorize the Board to adopt and promulgate rules and regulations for the administration of such plan; to provide an effective date of this Act and repeal all laws in conflict therewith.

was taken up.

Mr. Gilchrist offered the following amendment to the Bill, to-wit:
Amendment to S. B. 128:

Amend S. B. 128 by adding the following to the last paragraph thereof

"This Act shall be known as and cited as "The Nichols-'Sonny' Hornsby" Act.

Which was lost.

Yeas 12; Nays 17.

Yeas:

Messrs.:	Gilchrist	McCain	Robison (Montgomery)
Bentley	Hawkins	McDow	Shelton
Brannan	Horton	Roberts	Taylor
Dumas			
			—12

Nays:

Messrs.:	Cooper	James	Nichols
Adams	Eddins	Lolley	Reynolds
Allen	Evans	Lowe	Robison (Pickens)
Carter	Givhan	Mathews	Smith
Clark	Hammond		
			—17

And said Bill, S. B. 128, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 25; Nays 4.

Yeas:

Messrs.:	Cooper	Hornsby	Nichols
Adams	Eddins	James	Reynolds
Allen	Evans	Lolley	Roberts
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Givhan	Mathews	Smith
Carter	Hammond	McCain	Taylor
Clark	Hawkins		
			—25

Nays:

Messrs.:	Horton	Robison (Pickens)	Shelton
Dumas			
			—4

RECESS

At 7:25 P. M., on motion of Mr. Horton the Senate took a recess until 8:45 o'clock this evening.

Yeas 20; Nays 6.

Yeas:

Messrs.:	Dumas	Hawkins	McCain
Allen	Eddins	Hornsby	Reynolds
Bentley	Evans	Horton	Robison (Pickens)
Carter	Gilchrist	James	Smith
Clark	Givhan	Lolley	Taylor
Cooper			

—20

Nays:

Messrs.:	Brannan	McDow	Shelton
Adams	Lowe	Roberts	

—6

NIGHT SESSION

THIRTY-FOURTH LEGISLATIVE DAY

TUESDAY, AUGUST 17, 1965

The Senate re-assembled at 8:45 P. M., Lieutenant Governor Allen presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Wilson
Dumas	James	Oden	

—34

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate.

S. 90. To provide for the installation of markers or plaques in the Jesse Earl Speight Mall, making an appropriation for such purpose.

Also:

S. 437. To provide for a special low-cost hunting license for residents of this State who are 65 years of age or older; to provide for the disposition of the proceeds thereof.

Also:

S. 8. To provide for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of in-

juries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Also:

S. 223. To amend Section 2 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to re-state and expand the declaration of legislative intent of said act to include, as one of the purposes of said act, the re-location, in or around the same municipality, of manufacturing, industrial, commercial or research projects to replace any such projects all or a major portion of which have been acquired for one or more public purposes by certain public bodies, whether by purchase, condemnation or otherwise.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Casey, Turner (Limestone), Pierce, Ingram and Drake:

H. 24. Proposing a constitutional amendment relative to an apportionment of the senate of the legislature of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee, as follows:

H. B. 24. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith and Downing:

H. 722. To provide that each city of the State having a population of 29,000 or more, according to the most recent federal decennial census, shall establish for firemen in its fire department a schedule for work by the week which shall not exceed fifty-six (56) hours per week; and, subject to the exceptions contained in said act, to provide that no fireman in the fire department of the city shall work in excess of fifty-six (56) hours per week; to provide that the act shall not prohibit any fireman in the city from working, or prohibit any city from requiring any fireman to work, in excess of fifty-six (56) hours per week if because of some emergency the public safety or public welfare requires that he work in excess of said time; to provide that the governing body of the city shall have the power to prescribe rules and regulations for deter-

mining the existence of any emergency rendering it necessary for a fireman to work at some time other than the time covered by his normal or regular work schedule; and that the governing body may delegate to any officer of the city, including an officer or officers in the fire department, the power to make such determination; to provide that unless the governing body of a city provides otherwise, the chief of the fire department or any officer of the fire department acting for and in place of the chief of the fire department shall have authority to determine the existence of any emergency rendering it necessary for a fireman to work at some time other than the time covered by his normal or regular work schedule; and to provide that the fire department of each city for which a work schedule of fifty-six (56) hours per week is provided shall be divided into three platoons, with each platoon to be on duty for twenty-four (24) consecutive hours and off duty for forty-eight (48) consecutive hours, provided that any member of a platoon, during his off duty hours, may be ordered or called to duty in case of an emergency.

Also:

By Messrs. Collins (Jefferson), Gilmore, Bailes and Vacca:

H. 234. Relating to offenses against children; to make it unlawful for any man indecently to expose his sexual organs or private parts in the presence or sight of any child under the age of 14; and to fix the punishment therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 722. To the Committee on Immigration, Industrial Resources and Labor.

H. B. 234. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McDermott, Engel, Hogan, Rogers, Collins (Mobile), Edington, Downing and Smith:

H. 1282. To apply only in counties in the state having a population of not less than 300,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, designate a voting center in each ward or precinct within the county at which the qualified electors of the ward and precinct may vote, and prescribe the number of voting machines to be maintained at each voting center; to provide election officers for each voting center designated by the county governing body and prescribe the duties of such election officers.

Also:

By Mr. Cates:

H. 1075. To provide for the Public Health; to amend Title 22, Section 95, Code of Alabama 1940, as last amended by Act 170, Acts of Alabama, 1949 Regular Session, Page 197, so as to eliminate the requirement that prenuptial certificates required of applicants for a marriage license remain permanently attached to the marriage license.

Also:

By Mr. Fite:

H. 1140. To make supplemental appropriation for the payment of salaries from the Alabama Special Educational Trust Fund.

Also:

By Mr. Fite:

H. 1141. To amend further Section 5 of Act No. 298, S. 137, Regular Session 1947, an act providing for licensing persons selling alcoholic liquors.

Also:

By Messrs. Goodwyn, Nettles, Doggett, Fite, Branyon, Edwards (Lowndes), Bassett, Brown (Jefferson), Gilmore, Vacca, Perry, Turner (Crenshaw), Stembridge, Rogers, Engel, Edington, McDermott, Wood, Pierce, Little, Grouby, Hain, Etheredge, Jones (Monroe), Edwards (Escambia), Jones (Covington), Thomas, Cornett, Snell, Turnham, Powell, Barnett, Morrow, Cook, Cooper, Harper, Teel, Camp, Callahan, Campbell (Tuscaloosa), Brown (Tuscaloosa), Sullivan, Hankins, Davis, Heflin and Brewer:

H. 838. Relating to taxation of agricultural credit associations and corporations; providing for taxation of such organizations the same as national banks.

Also:

By Mr. Carr:

H. 1254. To amend Section 1 of Act No. 579, page 1262, Acts of Alabama, 1963 Regular Session, Volume 2, entitled "An Act to make appropriations for capital improvements", so as to reallocate and reappropriate certain monies itemized therein.

Also:

By Mr. Carr:

H. 1255. To appropriate the sum of \$12,000.00 from any funds in the state treasury not otherwise appropriated to the Division of State Parks, Monuments and Historical Sites for the purpose of paying death benefit claims accruing against said Division from Board of Adjustment awards.

Also:

By Mr. Goodwyn:

H. 221. To make it a felony for a father to fail to comply with terms of a court order requiring him to support his child or children.

Also:

By Mr. Rast:

H. 1248. To amend Section 40 of Chapter 3, Title 50, of the Code of Alabama of 1940, relating to the general grant of power to public corporations organized under said Chapter 3 so as to permit the sale and transfer of such corporation's entire system.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 1282. To the Committee on Local Legislation.

H. B. 1075. To the Committee on Public Health.

H. B.'s 1140, 1141, 1254 and 1255. To the Committee on Finance and Taxation.

H. B. 838. To the Committee on Banking.

H. B. 221. To the Committee on Judiciary.

H. B. 1248. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the following House Bill:

H. 144. To make a conditional appropriation from the Alabama special educational trust fund for the reconstruction of the John Essex School, in Marengo County, and for replacement of equipment destroyed by fire.

And requests a Committee on Conference and the Speaker of the House has named as a Committee on the part of the House Messrs. Nettles, Engel and Rast.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Eddins, the Senate acceded to the request of the House for a Committee on Conference on the disagreement between the two Houses on the Senate amendment to the Bill, H. B. 144, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. McCain, Gilchrist and Eddins.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turnham:

H. 1006. To provide for the establishment and operation of a laboratory for making reliable analyses of raw and processed agricultural products, and materials used in their production, for harmful pesticide residues in order to protect public health and public interests, to aid in developing and expanding markets for those agricultural products, and to protect fish, game, and other wild life, and the users of recreational areas from the effects of harmful pesticide residues; making conditional appropriations from the state treasury to the use of the Department of Agriculture and Industries for such purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1006. To the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Reynolds, Pennington and Baker (Madison):

H. 1221. To further amend Act No. 255, H. 313, approved June 24, 1943, (General Acts of Alabama, 1943, pp. 226-228), entitled "An Act to provide for the disposition and use of the profits, including all tax levied upon the selling prices of all spirituous or vinous liquors, less all cost and expense of collecting said tax, of the Alabama Liquor Stores operated under the Alcoholic Beverage Control Board of Alabama, as amended by Act No. 526, H. 545, approved August 24, 1951, (Acts of Alabama, 1951 pp. 915-918).

Also:

By Messrs. Goodwyn and Turner (Crenshaw):

H. 322. To amend Sections 2 and 12, Act No. 289, Regular Session 1955, to provide for a change in the standard deduction allowed individuals for income tax purposes; and to raise the maximum limit for filing of the short form.

Also:

By Messrs. Goodwyn and Turner (Crenshaw):

H. 323. To amend Section 1 of Act No. 208, Regular Session 1951 (Acts 1951, p. 470) which relates to deductions to individual income taxpayers and more specifically authorizes, provides for and regulates use of an optional standard deduction in lieu of an itemization of certain specific deductions allowed by law and also the deduction of federal income taxes paid or accrued within the taxable year.

Also:

By Mr. Owen:

H. 745. To make a conditional appropriation to the Agricultural Center Board for each of the two fiscal years ending September 30,

1966, and September 30, 1967, to aid in the construction of a building in Baldwin County, Alabama, for housing livestock shows, agricultural and industrial displays and other related uses.

Also:

By Messrs. Callahan, Campbell (Tuscaloosa), and Brown (Tuscaloosa):

H. 1196. To authorize the director of finance to transfer title to certain personal property of the Alabama Civil War Centennial Commission.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 1221. To the Committee on Public Buildings and Grounds.

H. B.'s 322, 323, and 745. To the Committee on Finance and Taxation.

H. B. 1196. To the Committee on Corporations.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 404. To amend Section 1 of Act No. 602, approved September 18, 1957, relating to the salary of the Attorney General.

Also:

By Messrs. Blanton, Holladay, Albea, Avery, Bailes, Bassett, Bolton, Bowers, Brown (Jefferson), Burnham, Cantrell, Cooper, Davis, Doggett, Downing, Drake, Edwards (Escambia), Edwards (Lowndes), Engel, Faulk, Gilmore, Goodwyn, Grouby, Hester, Hogan, Ingram, Jones (Covington), Jones (Monroe), Locke, McCorquodale, McDermott, Meeks, Merrill, Moore, Nabors, Nettles, Owens, Pennington, Posey, Reynolds, Salter, Smith, Steagall, Stembridge, Sullivan, Tuck and Vacca.

H. 600. To amend further Code of Alabama, Title 11, Section 98, which prescribes the fees allowed jurors.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 404. To the Committee on Judiciary.

H. B. 600. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owen:

H. 1090. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Baldwin County shall be entitled to receive annual salaries in lieu of any fees, commissions, percentages, and allowances, except as herein otherwise provided:

The judge of probate shall receive an annual salary of \$12,000, which shall include his compensation for all ex officio duties.

The tax assessor shall receive an annual salary of \$12,000.

The tax collector shall receive an annual salary of \$12,000.

The sheriff shall receive an annual salary of \$10,800.

The clerk of the circuit court shall receive an annual salary of \$7,200, which shall include his compensation for all ex officio duties.

The register of the circuit court shall receive an annual salary of \$3,000.

The coroner shall receive an annual salary of \$1,200.

Section 2. The court of county commissioners, board of revenue, or other like governing body of Baldwin County, shall provide compensation for clerks, deputies, assistants, and secretaries for the officers enumerated in this Act in such number as may be necessary for the efficient conduct of their respective offices. Each of the officers enumerated in Section 1 of this Act shall select, discharge, and fix the salaries of his subordinates, subject to approval of the governing body of the county.

Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers named in Section 1 shall be collected hereafter for the use of the county

and shall be paid into the general fund of the county. The compensation of the officers named in Section 1, and of their clerks, deputies, secretaries, and other assistants shall be paid in equal monthly installments from the general fund of the county.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Baldwin County shall provide the officers named in this Act with the books, stationery office equipment, supplies, postage, and other conveniences necessary for the proper and efficient conduct of the affairs of their respective offices, and shall allow the sheriff such an amount as may be necessary to pay the expense of operating his office, including travel expenses.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall supersede Act. No. 357, H. 707, Regular Session 1963 (Acts 1963, p. 857), and all other laws or parts of laws in conflict herewith.

Section 7. This Act shall take effect on the first day of the second month next following the date of ratification of an amendment to the Constitution authorizing the legislature to change the method of compensating the officers named in this Act.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1965.

J. H. FAULKNER, JR.

Sworn to and subscribed before me July 15, 1965.

DOROTHY MARTIN,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 1090. To the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Goodwyn:

H. 165. To further amend Section 618 of Title 51 of the 1940 Code of Alabama, as last amended by Act No. 769, Acts of Alabama 1953, page 1029, approved September 17, 1953 (Title 51, Section 618, Code of Alabama Recompiled 1958) by increasing the recording privilege tax imposed by said Section 618 and by appropriating annually a part of said tax for the payment of counsel, court reporters and clerks, and other expenses accruing under the provisions of Acts No. 525 and No. 526, Acts of 1963, pages 1129 and 1136, approved September 16, 1963.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 165. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cook, Turner (Crenshaw) and Nettles:

H. 584. To amend further Section 89 of Title 36, Code of Alabama 1940, which regulates the size and weight limits of motor vehicles and loads, so as to regulate further the length of such motor vehicles.

Also:

By Mr. Vacca:

H. 816. To authorize the State Board of Health to adopt rules and regulations for the purpose of regulating discharge of sewage from watercraft into certain waters of the State of Alabama; to authorize said Board to establish methods of control, including permits; to prescribe a penalty for violation of such rules and regulations; and to provide certain exemptions from regulations.

Also:

By Mr. Drake:

H. 807. To amend further Section 2 of Act No. 343, approved August 20, 1957, entitled "An Act To provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties."

Also:

By Mr. Drake:

H. 1111. To amend Code of Alabama 1940, Title 55, Section 348, which relates to the seal, powers, authority, and duties of the boxing and wrestling commission, so as to authorize such commission to collect

a percentage of the gross proceeds from the sale, lease or other exploitation of broadcasting, television and motion picture rights in boxing, sparring or wrestling matches or exhibitions and a percentage of the gross admission charges made to view televised boxing, sparring or wrestling matches or exhibitions, and to provide for the collection of such taxes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

- H. B. 584. To the Committee on Public Roads and Highways.
- H. B. 816. To the Committee on Public Health.
- H. B. 807. To the Committee on Judiciary.
- H. B. 1111. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Nabors, Engel, Pierce, Cantrell, Brewer, Powell, Little and Owens (with amendments):

H. 66. To authorize and regulate Savings and Loan deposits in two names, and to permit any payment thereof, and any interest and dividends thereon, to either party whether the other be living or dead, and to regulate Savings and Loan deposits made by any person in trust for another and to permit payment thereof to the person for whom such deposit was made, whether adult or minor, upon the death of the trustee, when no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to, and received by, said Savings and Loan Association.

Also:

By Mr. Camp:

H. 701. To amend Section 257 (34), Title 46, Code of Alabama 1940, ~~an act providing regulations governing the qualifications and eligibility of persons to engage in or be admitted to the practice of the healing arts.~~

Also:

By Mr. Hester:

H. 380. Relating to state purchases; giving preference to licensed retail vendors of certain machinery and equipment used for public works construction purposes in this state.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 66. To the Committee on Banking.

H. B. 701. To the Committee on Public Health.

H. B. 380. To the Committee on Public Roads and Highways.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pierce, Brown (Jefferson), Little and Salter:

H. 307. To provide for the formation and incorporation of non-profit dental service corporations, to prescribe the powers and authority of such corporations, and to provide for regulation thereof.

Also:

By Messrs. Bowers, Dominick, Merrill, Faulk, Pierce, Daniel, Powell, Grouby, Rogers, Hogan, Goodwyn, Engel, Stenbridge, Doggett, Glass, Downing, Salter, Jones (Covington), Heflin, Locke, Beville, Branyon, Hankins, Etheredge, Bailes, Sullivan, Collins (Jefferson), Sessions, Rast, Owens, Nabors, Brown (Tuscaloosa), Posey, Hester, Davis, Boston, Gilmore, Wood, Little, Morrow, Edwards (Escambia), Turner (Crenshaw), Ingram, Bolton, Harper, Brown (Jefferson), Hawkins, NeSmith, Crawford, Cook, Camp, Nettles, Tuck, Young, Avery, Smith, Vacca, Meeks, Bethea (M), Thomas, Scurlock, Albea, Burns, Barnett, Goldthwaite, Burnham, Slate, Cates, Campbell (Tuscaloosa), Teel, Carr, Owen, Holladay, Perry, and Baker (Madison):

H. 634. To provide for the filing with the State Department of Education of an annual operating statement and a consolidated fund balance sheet each year by all county boards of education, city boards of education, state-supported universities, colleges, trade schools, and other educational institutions supported in whole or in part by state funds; to provide that copies of such statements shall be furnished the State Budget Officer; to provide for a form for such reports; to provide for the publishing of a statewide financial report by the State Department of Education; to provide that such report shall be a public record for inspection of all interested citizens; and to provide for the filing of such report with the Governor, the State Budget Officer, the Secretary of the Senate, and the Clerk of the House of Representatives; to prescribe penalties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 307. To the Committee on Finance and Taxation.

H. B. 634. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Davis:

H. 580. To amend Section 9 of Title 48 of the Code of Alabama of 1940 dealing with the office, meetings, and record of proceedings of Alabama Public Service Commission.

Also:

By Mr. Davis:

H. 581. To amend Section 77 of Title 48 of the Code of Alabama of 1940 dealing with the time for deciding cases by the Alabama Public Service Commission.

Also:

By Messrs. Edwards (Escambia) and Owen:

H. 753. To amend Section 2, Act No. 784, H. 316, Regular Session 1953, an act providing for the use and licensing of commercial fishing gear.

Also:

By Mr. Steagall:

H. 1203. To make an appropriation from the state treasury for capital outlays at the Alabama Institute of Aviation Technology.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 580 and 581. To the Committee on Judiciary.

H. B. 753. To the Committee on Fish and Game.

H. B. 1203. To the Committee on Finance and Taxation.

BILLS ON THIRD READING

The Bill:

S. 489. To authorize county governing bodies to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	James	Reynolds
Adams	Evans	Lolley	Roberts
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Givhan	Mathews	Robison (Pickens)
Carter	Hawkins	McCain	Shelton
Clark	Hornsby	McDow	Smith
Cooper	Horton	Nichols	Taylor
Dumas			

—28

Nays:

—0

The Bill:

H. 836. To amend Act No. 268 (H. 93), of the 1963 Regular Session, approved August 23, 1963, which relates to regulation of salaries payable to certain state officers and employees in state service.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR HB 836

A BILL TO BE ENTITLED AN ACT

To amend Act No. 268 (H. 93), of the 1963 Regular Session, approved August 23, 1963, which relates to regulation of salaries payable to certain state officers and employees in state service.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 268 (H. 93) 1963 Regular Session is hereby amended to read as follows:

"Section 1. That Title 41, Section 152, Code of Alabama 1940, as last amended by Act No. 1034, Acts of 1961, page 1619 is further amended to read as follows: When not fixed by law or provided for in the pay plan of the merit system, the Governor is authorized to fix or approve salaries or compensation of officers and employees of the State of Alabama, but no salary or compensation, including those provided for in the pay plan of the merit system for unclassified positions, in the state service, shall be fixed or approved in excess of ten thousand dollars (\$10,000) per annum, unless a different maximum is fixed by law. The State Personnel Board may provide in the pay plan for officers and employees in the classified service of the state, other than physicians employed by the State Health Department whose salaries are fixed in accordance with Section 9, Title 22 of this Code, as amended, and the Directors of Unemployment Compensation and Employment Service whose salaries are fixed by Section 25, Title 26, of this Code, and are paid solely from Federal grants, and employees of the State Docks Department, a maximum salary or compensation not exceeding twelve thousand five hundred dollars (\$12,500) per annum, any law now applying to the salary or compensation of specific officers or employees to the contrary notwithstanding; and provided further where the salary or compensation of any officer or employee in the exempt or unclassified service is now fixed by law at a lower amount the appointing authority (as defined in the merit system law) may fix the salary or compensation at an amount not exceeding the maximum salary of officers and em-

ployees in the unclassified service. The salary or compensation of officers and employees of the State Docks Department who are in the classified service of the state shall be provided for in the pay plan of the merit system, without regard to the limitations prescribed herein."

Section 2. Said Act No. 268 (H. 93) 1963 Regular Session is hereby amended by the addition thereto of the following:

"Section 1A. The Director of the State Department of Finance shall be paid a salary not to exceed twenty thousand dollars (\$20,000) per annum, the exact amount to be determined by the authority appointing such officer."

Section 3. Section 2 of Act No. 268 (H. 93) 1963 Regular Session is hereby amended to read as follows:

"Section 2. The following public officers in the service of the State shall each be paid a salary not to exceed fourteen thousand dollars (\$14,000) per annum, the exact amount to be determined by the authority that appoints such officers: Commissioner of Revenue, Administrator of the Alcoholic Beverage Control Board, and Executive Secretary to the Governor. The compensation of the Director of the Legislative Reference Service, the Commissioner of Corrections and the State Budget Officer shall each be an annual salary of fourteen thousand dollars (\$14,000). The compensation of the State Health Officer shall be an annual salary of eighteen thousand dollars (\$18,000)."

Section 4. Section 3 of Act No. 268 (H. 93) 1963 Regular Session is hereby amended to read as follows:

"Section 3. The following public officers in the service of the State shall each be paid a salary not to exceed thirteen thousand dollars (\$13,000) per annum, the exact amount to be determined by the authority that appoints such officers: Commissioner of Pensions and Security, Director of the State Department of Conservation, Adjutant General, Director of the State Department of Public Safety, Legal Advisor to the Governor, State Toxicologist, Assistant Director of the Department of Finance, State Comptroller, State Purchasing Agent and Chief of the Legal Division of the Department of Finance."

Section 5. Section 4 of Act No. 268 (H. 93) 1963 Regular Session is hereby amended to read as follows:

"Section 4. The following public officers in the service of the state shall be paid a salary not to exceed twelve thousand dollars (\$12,000) per annum, the exact amount to be determined by the authority that appoints such officers: Director of the Planning and Industrial Development Board, Director of the State Personnel Department, Superintendent of Banks, Superintendent of Insurance, Press Secretary for the Governor, State Geologist, and the State Service Commissioner."

Section 6. All laws or parts of laws in conflict with this Act are hereby expressly repealed.

Section 7. This Act shall become effective October 1, 1965.

Mr. Shelton offered the following substitute for the Committee substitute for the Bill, H. B. 836, to-wit:

SUBSTITUTE FOR H. B. 836

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 268 (H. 93), of the 1963 Regular Session, approved August 23, 1963, which relates to regulation of salaries payable to certain state officers and employees in state service.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 268 (H. 93) 1963 Regular Session is hereby amended to read as follows:

"Section 1. That Title 41, Section 152, Code of Alabama 1940, as last amended by Act No. 1034, Acts of 1961, page 1619 is further amended to read as follows:

When not fixed by law or provided for in the pay plan of the merit system, the Governor is authorized to fix or approve salaries or compensation of officers and employees of the State of Alabama, but no salary or compensation, including those provided for in the pay plan of the merit system for unclassified positions, in the state service, shall be fixed or approved in excess of ten thousand dollars (\$10,000) per annum, unless a different maximum is fixed by law. The State Personnel Board may provide in the pay plan for officers and employees in the classified service of the state, other than physicians employed by the State Health Department whose salaries are fixed in accordance with Section 9, Title 22 of this Code, as amended, and the Directors of Unemployment Compensation and Employment Service whose salaries are fixed by Section 25, Title 26, of this Code, and are paid solely from Federal grants, and employees of the State Docks Department, a maximum salary or compensation not exceeding twelve thousand dollars (\$12,000) per annum, any law now applying to the salary or compensation of specific officers or employees to the contrary notwithstanding; and provided further where the salary or compensation of any officer or employee in the exempt or unclassified service is now fixed by law at a lower amount the appointing authority (as defined in the merit system law) may fix the salary or compensation at an amount not exceeding the maximum salary of officers and employees in the unclassified service. The salary or compensation of officers and employees of the State Docks Department who are in the classified service of the state shall be provided for in the pay plan of the merit system, without regard to the limitations prescribed herein."

Section 2. Said Act No. 268 (H. 93) 1963 Regular Session is hereby amended by the addition thereto of the following:

"Section 1A. The Director of the State Department of Finance shall be paid a salary not to exceed fifteen thousand dollars (\$15,000) per annum, the exact amount to be determined by the authority appointing such officer. The compensation of the State Budget Officer shall be an annual salary of fifteen thousand dollars (\$15,000)."

Section 3. Section 2 of Act No. 268 (H. 93) 1963 Regular Session is hereby amended to read as follows:

"Section 2. The following public officers in the service of the State shall each be paid a salary not to exceed fourteen thousand dollars (\$14,000) per annum, the exact amount to be determined by the authority that appoints such officers: Commissioner of Revenue, Administrator of the Alcoholic Beverage Control Board, and Executive Secretary to the Governor. The compensation of the Director of the Legislative Reference Service and the Commissioner of Corrections shall each be an annual salary of fourteen thousand dollars (\$14,000)."

Section 4. Section 3 of Act No. 268 (H. 93) 1963 Regular Session is hereby amended to read as follows:

"Section 3. The following public officers in the service of the state shall each be paid a salary not to exceed thirteen thousand dollars (\$13,000) per annum, the exact amount to be determined by the authority that appoints such officers: Commissioner of Pensions and

Security, Director of the State Department of Conservation, Adjutant General, Director of the State Department of Public Safety, Legal Advisor to the Governor, State Toxicologist."

Section 5. Section 4 of Act No. 268 (H. 93) 1963 Regular Session is hereby amended to read as follows:

"Section 4. The following public officers in the service of the state shall be paid a salary not to exceed twelve thousand dollars (\$12,000) per annum, the exact amount to be determined by the authority that appoints such officers: Director of the Planning and Industrial Development Board, Director of the State Personnel Department, Superintendent of Banks, Superintendent of Insurance, Press Secretary for the Governor, State Geologist, and the State Service Commissioner. The compensation of the Assistant Director of Finance, State Comptroller, State Purchasing Agent and Chief of Legal Division of the Department of Finance shall be twelve thousand dollars (\$12,000) per annum.

Section 6. Section 6 of Act No. 268 (H. 93) 1963 Regular Session is hereby amended to read as follows:

"Section 6. The salaries and compensations fixed or provided for in Sections 1A-5 above shall be paid at the same time, in the same manner and out of the same funds from which the salaries and compensations heretofore provided by law for such officers were paid and in the amounts herein specified, or so much thereof as may be necessary to pay the salaries and compensations fixed under Sections 1A-5 hereof are hereby appropriated out of such funds for this purpose."

Section 7. All laws or parts of laws in conflict with this Act are hereby expressly repealed.

Section 8. This Act shall become effective October 1, 1965.

Which was adopted.

Yeas 23; Nays 4.

Yeas:

Messrs.:	Cooper	Lolley	Oden
Adams	Dumas	Lowe	Reynolds
Allen	Eddins	Mathews	Roberts
Bentley	Evans	McCain	Robison (Montgomery)
Brannan	Givhan	McDow	Robison (Pickens)
Clark	Hawkins	Nichols	Shelton

—23

Nays:

Messrs.:	Hornsby	Smith	Taylor
Carter			

—4

Mr. Eddins offered the following amendment to the Bill, H. B. 836, as amended by the substitute, to-wit:

AMENDMENT TO H. B. 836, as amended by Substitute

Amend Section 4 of H. B. 836, as amended, as follows:

At the end of Section 4 as it now appears in H. B. 836, as amended, add the following language:

"The compensation of the Executive Assistant to the Superintendent of Banks shall be an annual salary of twelve thousand dollars (\$12,000.00)."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Hornsby	Nichols	Smith
Cooper	James	Oden	Taylor
Dumas			—28

Nays: —0

Mr. Carter offered the following amendment to the Bill, H. B. 836, as amended, to-wit:

Amend House Bill 836 as amended, Sec. 3, add "the State Service Commissioner", following Department of Finance end of first sentence.

Which was adopted.

Yeas 24; Nays 2.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Brannan	Hawkins	McDow	Robison (Pickens)
Carter	Horton	Nichols	Smith
Clark	Lolley	Oden	Taylor
Cooper			—24

Nays: Messrs.: Hornsby, Shelton —2

Mr. Clark offered the following amendment to the Bill, H. B. 836, as amended, to-wit:

AMENDMENT TO H. B. 836, as amended.

Amend H. B. 836, as amended, by striking therefrom the period at the end of Section 2 and adding thereto the following:

"The Commissioner of Revenue shall be paid a salary not to exceed seventeen thousand five hundred dollars (\$17,500) per annum, the exact amount to be determined by the authority appointing such officer."

Further amend the bill by striking from Section 3 of the bill the following:

"Commissioner of Revenue,"

Further amend the bill by striking therefrom the period at the end of Section 4 and adding thereto the following:

", Director of Aeronautics"

Further amend the bill by striking Sections 7 and 8 of the bill and inserting in lieu thereof the following:

Section 7. Section 5 of Act No. 268 (H. 93) 1963 Regular Session is hereby amended to read as follows:

"Section 5. The following officers in the service of the state shall be paid a salary not to exceed ten thousand five hundred dollars (\$10,500) per annum, the exact amount to be determined by the authority that appoints such officers: Director of Archives and History, Director of Department of Labor, Director of the Department of Publicity and Information, Director of the Department of Civil Defense, Member of the Pardon and Parole Board."

Section 8. All laws or parts of laws in conflict with this Act are hereby expressly repealed.

Section 9. This Act shall become effective October 1, 1965.

Which was adopted.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Clark	Hornsby	Roberts	
Adams	Cooper	Lolley	Robison (Montgomery)	
Allen	Eddins	Lowe	Robison (Pickens)	
Bentley	Evans	Nichols	Smith	
Brannan	Givhan	Oden	Taylor	
Carter	Hawkins	Reynolds		—22

Nay: Mr. Shelton —1

Mr. Nichols offered the following amendment to the Bill, H. B. 836, as amended, to-wit:

Amendment to H. B. 836, as Amended

In Section 4 thereof strike therefrom the words "Commissioner of Pensions and Securities."

Amend Section 2 of H. B. 836 as substituted as follows:

At the end of Section 2 as it now appears in H. B. 836 as substituted add the following language

"The compensation of the Director of Department of Pensions and Securities shall be an annual salary of fourteen thousand dollars (\$14,000)."

Which was adopted.

Yeas 27; Nays 2.

Yeas:

Messrs.:	Dumas	Hornsby	Oden	
Adams	Eddins	Lolley	Reynolds	
Allen	Evans	Lowe	Roberts	
Bentley	Gilchrist	Mathews	Robison (Montgomery)	
Brannan	Givhan	McCain	Robison (Pickens)	
Clark	Hammond	McDow	Smith	
Cooper	Hawkins	Nichols	Taylor	—27

Nays: Messrs.: James, Shelton —2

Mr. Hawkins offered the following amendment to the Bill, H. B. 836, as amended, to-wit:

Amend H. B. 836 as substituted by striking the words "state comptroller" where they appear in Section 5 and adding the words "state comptroller"

after the words "Commissioner of Corrections" where they appear in Section 3 of the bill.

Mr. Shelton moved that said amendment be laid on the table, which motion was lost.

Yeas 11; Nays 16.

Yeas:

Messrs.:	Dumas	McDow	Robison (Pickens)
Allen	James	Oden	Shelton
Clark	Lowe	Reynolds	Taylor

—11

Nays:

Messrs.:	Eddins	Hawkins	McCain
Bentley	Evans	Hornsby	Roberts
Brannan	Gilchrist	Lolley	Robison (Montgomery)
Carter	Givhan	Mathews	Smith
Cooper			

—16

The question then recurred on the amendment offered by Mr. Hawkins to the Bill, H. B. 836, as amended, and said amendment was then adopted by the Senate.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Cooper	Hornsby	Oden
Adams	Dumas	Horton	Reynolds
Allen	Eddins	Lolley	Roberts
Bentley	Evans	Lowe	Robison (Montgomery)
Brannan	Givhan	McCain	Smith
Carter	Hammond	McDow	Taylor
Clark	Hawkins	Nichols	

—26

Nays: Messrs.: James, Robison (Pickens), Shelton —3

Mr. Roberts then offered the following amendment to the bill, H. B. 836, as amended, to-wit:

Amend H. B. 836, as amended, by striking the words "The Director of the Legislative Reference Service" from Section 3 thereof, and adding the words "The Director of The Legislative Reference Service shall receive an annual salary of \$15,000.00." at the end of the second sentence of Section 3 thereof.

Which was adopted.

Yeas 24; Nays 3.

Yeas:

Messrs.:	Cooper	Hornsby	Nichols
Adams	Dumas	Horton	Oden
Allen	Eddins	Lolley	Roberts
Bentley	Evans	Lowe	Robison (Montgomery)
Brannan	Gilchrist	McCain	Smith
Carter	Hawkins	McDow	Taylor
Clark			

—24

Nays: Messrs.: James, Robison (Pickens), Shelton —3

Mr. Oden offered the following amendment to the Bill, H. B. 836, as amended, to-wit:

AMENDMENT TO HOUSE BILL 836

Amend House Bill 836 by adding thereto Section 10 as follows:

"The Governor of the State of Alabama shall be paid \$90,000.00 per annum plus \$10,000.00 tax-free expense allowance."

On motion of Mr. Robison (Montgomery), said amendment was laid on the table.

And said Bill, H. B. 836, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 2.

Yeas:

Messrs.:	Cooper	Hornsby	Nichols
Adams	Dumas	Horton	Reynolds
Allen	Eddins	Lolley	Roberts
Bentley	Evans	Lowe	Robison (Montgomery)
Brannan	Gilchrist	Mathews	Smith
Carter	Givhan	McCain	Taylor
Clark	Hawkins	McDow	—26

Nays: Messrs.: Robison (Pickens), Shelton —2

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 517. Relating to counties having a population of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Also:

S. 548. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

S. 550. To provide an expense allowance for the judges of probate in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

Also:

S. 551. To amend Section 1 of Act No. 173, H. 152, Regular Session 1961 (Acts 1961, p. 217), an act entitled "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000", so as to regulate further the per diem payable to members of such jury commissions.

Also:

S. 553. Relating to all counties having populations of not less than 22,350 nor more than 24,350, according to the most recent federal decennial census; amending Section 1 of Act No. 288, H. 935, Regular Session 1963 (Acts 1963, p. 732).

Also:

S. 559. To amend Act No. 401, H. 971 of the Regular Session of 1963, an act authorizing any municipality having a population of not less than seventy thousand nor more than one hundred thirty thousand to create a planning commission having certain powers, duties, and regulations, in relation to the membership of the planning commission.

Also:

S. 562. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing for the compensation of members of the jury commissions in such counties.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 48. Proposing an amendment to the Constitution of Alabama relating to the economic development of Madison County and the City of Huntsville.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 8. To provide for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Also:

S. 90. To provide for the installation of markers or plaques in the Jesse Earl Speight Mall, making an appropriation for such purpose.

Also:

S. 223. To amend Section 2 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to re-state and expand the declaration of legislative intent of said act to include, as one of the purposes of said act, the re-location, in or around the same municipality, of manufacturing, industrial, commercial or research projects to replace any such projects all or a major portion of which have been acquired for one or more public purposes by certain public bodies, whether by purchase, condemnation or otherwise.

Also:

S. 437. To provide for a special low-cost hunting license for residents of this State who are 65 years of age or older; to provide for the disposition of the proceeds thereof.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed **the foregoing bills; the titles of which are set out in the foregoing report** from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

H. 330. Relating to non-resident hunting licenses; providing for new types and new charges of non-resident hunting licenses; to repeal Title 8, Sections 32 and 33, as amended, by Act No. 872, page 1369, Acts of Alabama, 1961 Regular Session of the Alabama Legislature.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Evans	James	Reynolds
Allen	Gilchrist	Lolley	Roberts
Bentley	Givhan	Lowe	Robison (Montgomery)
Brannan	Hammond	Mathews	Robison (Pickens)
Carter	Hawkins	McCain	Shelton
Cooper	Hornsby	McDow	Smith
Dumas	Horton	Nichols	Taylor
Eddins			—28

Nays:

—0

The Bill:

H. 402. To fix the compensation of certain State Officers.

was taken up.

Mr. Taylor offered the following amendment to the Bill, to-wit:

Amendment to H. B. 402

Amend Section 1 by striking therefrom the words State Auditor

On motion of Mr. Clark, said amendment was laid on the table.

And said Bill, H. B. 402, was then read a third time at length and passed.

Yeas 27; Nays 2.

Yeas:

Messrs.:	Cooper	Hawkins	Nichols
Adams	Dumas	Hornsby	Oden
Allen	Eddins	Horton	Reynolds
Bentley	Evans	Lolley	Roberts
Brannan	Gilchrist	Mathews	Robison (Montgomery)
Carter	Givhan	McCain	Smith
Clark	Hammond	McDow	Taylor
			—27

Nays: Messrs.: James, Robison (Pickens)

—2

The Bill:

H. 117. To amend further Section 388 of Title 51, Code of Alabama 1940, which relates to exemptions from state income tax; and to provide that the Act shall be given retroactive effect to December 31, 1964.

Was read a third time at length and passed.

Yeas 29; Nays 1.

Yeas:

Messrs.:	Dumas	James	Reynolds
Adams	Eddins	Lolley	Roberts
Allen	Evans	Lowe	Robison (Montgomery)
Bentley	Gilchrist	Mathews	Robison (Pickens)
Brannan	Givhan	McDow	Shelton
Carter	Hammond	Nichols	Smith
Clark	Hawkins	Oden	Taylor
Cooper	Hornsby		—29

Nay: Mr. McCain

—1

The Bill:

H. 688. To provide for service of process upon certain corporations.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Oden
Adams	Eddins	James	Reynolds
Allen	Evans	Lolley	Roberts
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Givhan	Mathews	Robison (Pickens)
Carter	Hammond	McCain	Shelton
Clark	Hawkins	McDow	Taylor
Cooper	Hornsby	Nichols	

—30

Nays:

—0

The Bill:

H. 132. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations and orders of the Commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Act 1947, p. 379) as amended.

was taken up.

The Standing Committee on Public Health reported the following substitute for the Bill, H. B. 132, to-wit:

SUBSTITUTE FOR H. B. 132

A BILL TO BE ENTITLED AN ACT

To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Act 1947, p. 379) as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Purpose: The improvement and conservation of the ground and surface waters of the State of Alabama is of utmost importance. The existing water conditions of the state and the right of municipalities, industries and individuals to the reasonable use of such waters so as to promote the continued growth and development of the state, in industry, agriculture, health, recreation and conservation of natural resources is recognized.

Section 2. Definitions. When used in this Act the terms defined shall have the meanings here ascribed to them unless it clearly appears from the context that some other meaning is indicated.

“Commission” means the Water Improvement Commission; and “member” means a member of said Commission.

“Waters” means all waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the state.

"Sewage" means water-carried human wastes from residences, buildings, industrial establishments or other places, together with such ground, surface, storm or other waters as may be present.

"Industrial wastes" means liquid or other wastes resulting from any process of industry, manufacture, trade or business or from the development of any natural resources.

"Other wastes" means decayed wood, sawdust, shavings, bark, lime, refuse, ashes, offal, oil, tar, chemicals and all other substances, except industrial wastes and sewage, which may cause pollution of any surface waters of the state.

"Pollution" means the discharge or deposit of sewage, industrial wastes, or other wastes in such condition, manner or quantity as may cause ground or surface water to be contaminated, unclean, or impure to such an extent as to make said waters detrimental to the public health or to the health of animals, wildlife, fish, marine life or aquatic life; unsuitable with reasonable treatment for use as present or possible future sources of public water supply; or unsuitable for recreational, commercial, industrial, agricultural, or other reasonable uses.

"Person" means any and all persons, natural or artificial, including any individual, firm or association and any municipal or private corporation organized or existing under the laws of this or any other state or county.

"Section 3. Commission created; members, compensation and expenses; meetings; administrative and disbursing agent. (a) There is hereby created a Water Improvement Commission consisting of 16 members as follows: The State Health Officer, who shall be the Chairman of the Commission; the Director of the Department of Conservation, who shall be Vice Chairman; the Commissioner of the Department of Agriculture and Industries; the State Geologist; one member representative of municipal government, one member representative of county government; two members representative of wildlife conservation; six members respectively representative of the following six industries of the state, viz: Mining, Textiles, Chemicals, Lumbering, Paper, Metals; one member from the University of Alabama, possessing related scientific or technical training, to be designated by the Dean of the School of Engineering of the University of Alabama; and one member from the Auburn University, possessing related scientific or technical training, to be designated by the Dean of the School of Agriculture of the Auburn University.

(b) The four ex-officio members shall hold office as such throughout their respective terms and until the appointment and qualification of their successors as such. The representatives of the University of Alabama and the Auburn University shall hold office for six years. The remaining ten members of the Commission shall be appointed by the Governor and shall hold office for a term of six years. The member representative of a municipal government shall be appointed from three nominees made by Alabama League of Municipalities; the member representative of county government shall be appointed from three nominees made by Association of County Commissioners of Alabama; the two members representative of wildlife conservation shall be appointed from five nominees made by Alabama Wildlife Federation; the members representative of Mining, Textiles, Chemicals, Lumbering, Paper and Metals shall be appointed from three nominees for each of said industries, such nominations to be made by Alabama Mining Institute for Mining; Alabama Textile Manufacturers Association for Textiles; Alabama State Chamber of Commerce for Chemicals; Alabama Forest Products Association for Lumbering; Associated Industries of Alabama for Paper; and Alabama Mining Institute for Metals. In the event any such

organization shall fail to make such nominations within sixty days after receipt of notice from the Chairman of the Commission, the Governor shall make any such appointment of his own discretion. The Technical Secretary of the Commission shall report the absence of any representative from three consecutive meetings to the Commission. The Commission, by majority vote, may declare the position of such absentee representative vacant. If the Commission shall so vote, the Technical Secretary shall forthwith notify the agency of the Commission's action and such agency shall, within sixty days, send to the Governor the names of three nominees and the appointment of a successor shall be made by the Governor in the manner provided for in this section.

(c) Upon the death, resignation or removal of any appointed member, the Governor shall, upon certification thereof to him by the Commission, appoint some qualified person to fill the vacancy for the unexpired term of said member, in the manner provided for in subsection (b). Upon the death, resignation or removal of the member appointed by the Dean of the School of Engineering of the University of Alabama to represent the University of Alabama, or the member appointed by the Dean of the School of Agriculture of the Auburn University to represent the Auburn University, notice of such vacancy shall be made in writing to the appointing officer of the school from which the vacancy occurred, who shall, within thirty days after receipt of such notification, inform the Chairman of the Commission in writing of a replacement upon the Commission to fill the vacancy for the unexpired term. The term of office of every member shall be from the date of his appointment and qualification until the appointment and qualification of his successor. All members shall have been residents of the State of Alabama for two or more years prior to their appointment. The Chief Sanitary Engineer, Division of the Bureau of Sanitation, of the Department of Public Health, shall serve as Technical Secretary to the Commission.

(d) No salary or compensation shall be allowed any member of the Commission for services thereon; this shall not, however, be construed to affect in any way the regular compensation of officials of state departments and of representatives of state institutions, who by virtue of their position are members of the Commission, services on the Commission being considered a part of the duties of such officials as representative of the respective departments and institutions. Actual and necessary travel subsistence, and other expenses incurred by members in the discharge of their official duties as members of the Commission and by direction or request of the Commission, shall be paid as provided by law from any funds which are or may become available for the purpose of this Act.

(e) The Commission shall meet regularly in April and October of each year and special meetings may be held at any time or place determined by the Commission or upon call of the Chairman or upon written request of any five members to take up any matters within its jurisdiction, provided that all members shall be notified of the time and place of any regular or special meeting at least ten days in advance of such meetings.

(f) The Commission shall keep a complete and accurate record of the proceedings of all its meetings, a copy of which shall be kept on file in the office of the Technical Secretary and open to public inspection.

(g) The State Department of Public Health shall be the administrative and disbursing agent for the Commission within the limits of appropriations and funds, which are or which may become available from any source for this purpose.

(h) There is hereby created an Executive Committee of the Water Improvement Commission consisting of five of its members as follows: The State Health Officer who shall be the Chairman of the Executive Committee; the Director of the Department of Conservation; the member representative of Municipal Government; a member representative of industry; and a member representative of wildlife conservation. The member representative of industry and the member representative of wildlife conservation shall be appointed by the Chairman and shall serve at the pleasure of the Chairman. The Executive Committee may meet at any time or place upon call by the Chairman and, when the full Commission is not assembled, said Executive Committee may act for the full Commission and shall possess all such powers and jurisdiction of said Commission as may be delegated to it by said Commission provided, however, that every act or order of the Executive Committee shall be promptly reported in writing to each member of the Commission and shall become final and subject to review as the act or order of the Commission pursuant to par. (m) and par. (n) of Sec. 4 of this act seven days after the mailing of such report of the Executive Committee, unless within said seven-day period any three or more members of the Commission shall request in writing to the Chairman of the Commission that such act or order of the Executive Committee be submitted to a meeting of the Commission for its review, in which event the Chairman shall submit the matter de novo to a meeting of the Commission, provided, that orders issued by the Executive Committee shall become effective immediately upon issuance and shall continue in effect in accordance with their terms unless changed by review of the Commission.

(i) Nine members of the Commission shall constitute a quorum for the transaction of Commission business.

(j) The incumbent members of the Water Improvement Commission as established under Act No. 523, Regular Session 1947 (Gen. Acts 1947, p. 379), as amended, together with the additional member representative of wildlife conservation as herein provided shall constitute the membership of the Commission provided for in this Act and shall continue to serve until their successors are appointed as provided in Section 3 (b) or (c)."

"Section 4. Powers and duties of Commission; review and enforcement of orders. It shall be the duty of the Commission, and it shall have authority insofar as is reasonable:

(a) To study and investigate all problems concerned with the improvement and conservation of the waters of the state. To conduct independently and in cooperation with others, studies, investigations, research, and to prepare, or in cooperation with others prepare, a program or programs, any or all of which shall pertain to the purity and conservation of the waters of the State of Alabama or to the treatment and disposal of sewage, industrial wastes, or other wastes which may be the causes of pollution, which studies, investigations, research and program or programs shall be intended to result in the reduction of pollution of the waters of the State of Alabama according to the conditions and particular circumstances existing in the various communities throughout the State of Alabama; to propose remedial measures insofar as practical means are available for abatement of such pollution. To this end the Commission may cooperate with any public agency, including Federal agencies, or with any private agency in the conduct of such experiments, investigations and research, and may receive in behalf of the State of Alabama, any moneys which any such agency may contribute as its share of the cost under any such cooperative arrangement. Provided that such moneys shall be used only for the purposes for which they are contributed, and any unexpended balance remaining after the conclusion of the experiments, investigation and research, or other uses for which such

moneys were granted or donated, shall remain to the credit of the Water Improvement Commission Fund unless the terms of such grant, gift, or donation specifically require the return of any unexpended balance.

(b) It shall be the duty of the Commission to conduct surveys with respect to the pollution of any streams in the state either navigable or not navigable; to establish criteria standards for recognized limits of pollution; and, independently or in cooperation with other agencies, both public and private, to promote, through education and demonstration, water conservation and the abatement of stream pollution.

(c) Every person, municipality, industrial or other establishment, shall furnish to the Commission within a specified time but not less than ninety days after written request therefor, all pertinent information within their knowledge required by it in the discharge of its duties under this Act; provided, however, that no person or industry shall be required to disclose any secret formulae, processes or methods. The fees of witnesses for attendance and travel shall be the same as fees of witnesses before the courts of record and shall be paid from the appropriation for the expenses of the Commission. Any judge of a court of record, either in term time, or vacation, upon application of the Chairman or acting Chairman of the Commission shall compel the attendance of witnesses, the production of books and papers, and the giving of testimony before the Commission or any agent thereof by attachment, or contempt or otherwise, in the same manner as the production of evidence shall be compelled before said court. The Chairman of the Commission shall require the attendance of employees who are needed as witnesses without subpoena. Any member of the Commission or its employees or agents may enter any property, or any industrial or other establishment at any reasonable time for the purpose of collecting such information and no owner or official in charge shall refuse to admit such member, employee or agent for all purposes necessary to the discharge of his official duty.

(d) It shall be the duty of the Commission to render a formal report biennially to the Governor and each succeeding legislature in regular session assembled, of its activities and progress, and including any recommendations for amendment to this Act. It shall be the further duty of the Commission to extend its cooperation and to advise with industries and municipalities relative to the control of waste and other deleterious matter of pollutive nature and to make available to industries and municipalities the benefits of its studies and findings.

(e) For the purposes of this Act, to be reasonable, any order, rule or regulation of the Commission shall provide only for practical methods consistent with the technical means available and the physical and economic factors involved.

(f) It shall be the duty of the Commission to exercise general supervision over the administrative and enforcement of all laws relating to pollution of the waters of the state. Whenever the Commission determines that any person is violating or is about to violate any of the provisions of this Act or any rule or order of the Commission promulgated thereunder, the Commission may notify such person of such determination of the Commission. The notice may be served by registered mail or by an officer empowered to serve process under existing laws or by an officer or agent of the Commission. Within such time as may be specified in such notice, such person shall file with the Commission a full report, showing steps that have been taken and are being taken to control such discharge or pollution. Thereupon, the Commission may make such orders as in its opinion are deemed reasonable.

(g) It shall be the duty of the Commission, after notice as herein-after provided, to establish such standards of quality for any waters in

relation to their reasonable and necessary use as shall be in the public interest, recognizing that because of variable factors and varied use of waters, no single standards of treatment and no single standard of quality are practical, and that the degree of treatment of sewage and industrial waste must take into account the present and future uses, and such general policies relating to existing or proposed future pollution as it shall deem necessary to accomplish the purposes of this Act, and to modify, amend or cancel the same. Any provisions of law to the contrary notwithstanding, the quantity of pollution existing in an effluent at any time shall be subject to the control of the Commission if it creates a health hazard. Prior to establishing standards as herein provided, the Commission shall cause to be published in a newspaper published in and of general circulation in each county within which any such waters, wholly or partially, are located, a notice in substantially the following forms:

NOTICE

Of Water Improvement Commission

Notice is hereby given that a meeting of the Water Improvement Commission of the State of Alabama will be held on the _____ day of _____, 19____, at _____ for the purpose of establishing standards of quality in those certain waters in the county or counties of _____, Alabama, described as follows: _____ (Describe Waters) _____ Anyone desiring to be heard may appear at said meeting.

Water Improvement Commission

By: _____
Chairman

Such notice shall be published once a week for three consecutive weeks prior to the holding of any meeting of the Commission for consideration of such standards; provided, however, in any county where no such newspaper is available for publishing said notice, the prescribed notice shall be posted at the county courthouse of said county for a period of three weeks prior to holding of any such meeting of the Commission.

(h) It shall be the duty of the Commission to receive and examine applications, plans, specifications and other data and to issue permits for the discharge of sewage, industrial waste and other waste into the waters of the state, stipulating in each permit the conditions under which such discharge may be permitted. Any order of the Commission with respect to the issuance of a permit shall be subject to review and appeal by the applicant as provided in subsection (n).

(i) It shall be the duty of the Commission, and it shall have the authority to adopt rules and regulations to carry out the provisions of this Act.

(j) It shall be the duty of the Commission to issue orders directing particular persons responsible for pollution to secure within a reasonable time to be specified by the Commission such operating results toward the control of pollution as the Commission may prescribe in accordance with this Act. (1) Every person who, prior to the effective date of this Act, is discharging any pollution into any waters of this state under a permit of the then existing Commission may continue to do so under said permit unless and until the Commission takes steps to modify the terms of the permit. (2) Every person who, subsequent to the effective date of this Act, begins discharging any new or increased pollution into any waters of this state shall apply to the Commission in writing for a permit and shall obtain such permit before discharging such pollution.

(3) Every person who, prior to the effective date of this act, is discharging any pollution into any waters of this state without a permit covering such discharge may, in accordance with the terms of this Act, be required by the Commission to apply for such a permit as a condition of continuing such discharge. The orders of the Commission in respect to any pollution which was being so discharged without a permit, and as to which no permit was required under the law then in effect, shall not be considered in conformity with this Act if it is established by the person against whom said order is issued that such order applies substantially higher standards or requirements than those generally applied under permits issued after August 25, 1949, for pollution discharged under similar or relatively comparable conditions; that such order does not recognize and make appropriate allowance for the inherent problems involved in adding waste discharge systems, devices or methods onto an existing plant; or such order is not reasonable. Whenever the Commission may determine after survey and investigation of the particular discharge, of which the affected party shall have been given written notice in advance, that such discharge may not meet the requirements of this Act or the rules and regulations or orders of the Commission, as the same may be applicable to such discharge, the Commission must require the municipality, industry or person discharging such pollution to apply for a permit with respect thereto. The applicant shall be granted a temporary permit upon his representation that a study looking toward improvement or control of pollution is underway or will be instituted. The applicant shall be allowed a reasonable time, not exceeding twelve months, in which to develop and submit a plan to the Commission. If the plan submitted is satisfactory and approved by the Commission, a permanent permit shall be issued subject to compliance within seven years with such plan; however, if the plan is not satisfactory as submitted, the applicant shall be allowed a further period, not exceeding six months, in which to submit a revised plan. If the revised plan submitted is satisfactory and approved by the Commission, a permanent permit shall be issued subject to compliance within seven years with such plan. The Commission shall act on any such plan not later than six months subsequent to the submission of such plan. A person who does not submit a plan satisfactory to the Commission as herein provided shall be required to install within seven years thereafter, such waste systems, devices or methods as the Commission determines necessary to control his pollution and as may be in conformity with the provisions of this Act.

(k) The Commission shall investigate from time to time the discharge of pollution into the waters of the state, and if such investigation discloses that the discharge is not being made by a permittee in accordance with terms and specifications of a permit, the Commission may issue to the permittee an order to cease and desist from the acts or practices specified in the order.

(l) The Commission may enter into agreement with the responsible authorities of the Federal Government and of other states, subject to the approval of the Governor, relative to policies, methods, means and procedures to be employed to control pollution of any interstate waters and to carry out such agreements by appropriate general and special orders. This power shall not be deemed to extend to the modification of any agreement with any other state concluded by direct legislative act, but unless otherwise expressly provided, the Commission shall be the agency for the administration and enforcement of any such legislative agreement.

(m) When the Commission makes any order directing any person or persons to do or not to do any act specified therein, a copy of such order shall be served upon such person or persons by registered mail or by other method provided in subsection (b) for service of process, and such

person or persons may within a period of 30 days after such service, obtain a review of the order as provided in subsection (n). If no such review is obtained, then at the expiration of said period of 30 days after such service, the order of the Commission shall become final and conclusive. Service by registered mail as provided in this Act shall be had by mailing to the person to be served, postage prepaid, the papers to be served. The envelope containing such papers shall be marked "For Delivery Only to the Person to Whom Addressed" and a return receipt to be addressed to the Commission shall be demanded of the post office authority. Such return receipt when received shall be filed in the Commission's records and an entry shall be made upon such records of the date that the return receipt was received. Such receipt and record entry shall be prima facie evidence of service of process upon the person to whom the registered letter was addressed and serviced, for the purposes of this Act, shall be dated from the date of the receipt by the Commission of the return receipt.

(n) Any person who shall feel himself aggrieved by any rule or order of the Commission shall have the right to obtain a review thereof by filing with the Commission, within the time provided in subsection (m), a sworn petition setting forth the grounds and reasons for his complaint and asking for a hearing of the matter involved. The Commission shall thereupon fix the time and place of such hearing and shall notify the petitioner thereof by registered mail not less than ten days in advance of the hearing. At any time prior to the commencement of the hearing, any person may become an intervenor in the proceedings by filing a sworn petition setting forth facts showing that his rights may be prejudiced by an order of the Commission in the matter involved. The Commission and its members shall have full power to subpoena witnesses for the Commission, for the petitioner and for any intervenor, to administer oaths, examine witnesses under oath and conduct the hearing. At such hearing, the petitioner and any intervenor may appear, present witnesses and submit evidence. The order of determination of the Commission shall be served on the petitioner and any intervenor by registered mail or by other method provided in subsection (f) for service or process. At the expiration of 30 days from the date of serving on the parties such order or determination of the Commission upon the matters included in the hearing, the said order shall become final and conclusive unless the petitioner, or any intervenor whose rights are prejudiced by said order of the Commission, shall, within such period of 30 days after the service of such final order, appeal to the circuit court of Montgomery County, Alabama, by giving cost bond with sufficient sureties payable to the state, in such amount not less than \$100.00 or more than \$500.00 as may be fixed in the order appealed from said cost bond to be filed with and approved by the Chairman of the Commission, who shall forthwith certify to the circuit court to which the appeal is taken, the said cost bond together with a certified copy of the record of all proceedings of the Commission in the matter appealed from, but not including a transcript of the testimony of witnesses or other evidence. Said matter shall be tried de novo on the equity side of said circuit court and shall be a preference case on the docket thereof. On such trial the court shall have jurisdiction to determine whether said order of the Commission is lawful, and whether the same is reasonable, and whether a polluted condition of any water or waters exists or is about to exist as set forth in the order appealed from, and to affirm, modify or wholly set aside such order, it being the intent and purpose of this Act that the order of said Commission, when appealed as hereinabove provided, shall be final and conclusive only when so determined by such court. The judgment of the circuit court shall be certified to the Commission. Any party to such action may within 30 days after judgment appeal to the Supreme Court of Alabama under the same procedure as governs appeals from courts of equity. If a supersedeas is desired by the party appealing, he may apply

therefor to the judge of the court from which said appeal is taken, who shall award a writ of supersedeas, without additional bond, if, in his judgment, material damage is not likely to result thereby. Otherwise, said judge shall require such supersedeas bond as he deems proper, made payable to the State of Alabama in such amount as he shall require.

(o) The State Department of Public Health shall make such inspections, conduct such investigations, and do such other things as may be necessary to cooperate with the Commission in carrying out the provisions of this Act.

(p) Upon complaint made by the Commission, any person found guilty of willfully violating Section 4 or any order of the Commission which is made in pursuance of the provisions of this Act and which has become final and conclusive as provided in this Act shall be deemed guilty of a violation of the provisions of this Act which shall be punishable by a fine of not less than one-hundred dollars nor more than ten-thousand dollars.

(q) The Commission may recover damages by action at law in the circuit court for loss or destruction of wildlife, aquatic, fish or marine life caused by pollution of the waters of the state resulting from the wrongful act, omission or negligence of a person. Both punitive and compensatory damages may be recovered in a case where the pollution resulted from willful or wanton conduct on the part of the polluter; compensatory damages alone may be awarded when the pollution is caused by a negligent act or omission. Damages shall not be allowed in any case when the pollution is the result of an act of God. Such suits shall be filed in the name of the state by the Attorney General, at the direction of the Commission, in the county, or in the case of more than one county, in any county in which such wildlife, aquatic, fish or marine life or any part thereof were so destroyed or killed. Such sums as may be recovered as punitive or compensatory damages for the loss or destruction of wildlife, aquatic, fish or marine life shall be credited to the Game and Fish Division of the Department of Conservation, said sums to be expended for the betterment and improvement of the affected waters, including restocking of fish.

Section 5. Funds, facilities and personnel. The Commission is authorized to accept and use such funds, facilities, or personnel as may be or may become available for the purposes of this Act, either directly to the Commission or in any of the state departments or from Federal or other agencies represented; but nothing herein shall be construed to limit, modify, or supersede any of the powers or duties of said co-operating departments or agencies unless in direct conflict with this Act, nor to interfere with the power of each such department or agency to determine the disposition of funds specifically appropriated to it and to select, employ and control all of its employees regardless of the fact that said employees may be assigned and devoting the whole or a part of their time to work under the direction of the Commission. There is hereby created and there shall be a fund which shall be known as the Water Improvement Commission Fund. This fund shall consist of: (a) All moneys appropriated to the Commission by the State Legislature of Alabama; (b) All moneys received by the Commission by appropriation from county or municipal governments; (c) All gifts, grants, bequests or donations from individuals, associations, corporations, or industries; (d) All moneys derived through any source of Federal Aid; and (e) All moneys accruing to the Commission from any source whatever. The fund shall be used and expended by the Chairman of the Commission in accordance with the terms of the gift, grant, bequest, appropriation or donation from which said moneys are derived, and in the absence of any such terms or stipulations shall be expended by the Chairman of the Commission in furtherance of any of the provisions of this Act. All

necessary expenses of the Commission shall likewise be paid out of said fund on the requisition of the Chairman of the Commission as may be deemed advisable. The Commission is authorized to employ such consultants and fulltime technical and clerical and other workers as are necessary and within the available funds to carry out the purposes of this Act. The Technical Staff to be employed by the Commission shall be selected from, but not limited to, the following professional groups: sanitary engineer, chemical engineer, biochemist, geologist, fish culturist, mining engineer, agricultural engineer, forest engineer, analytical chemist, agronomist, bacteriologist, and biologist.

Section 6. Act intended to supplement existing law. This Act is intended to supplement existing law, and no part thereof shall be construed to repeal any existing laws specifically enacted for the protection of health or the protection of fish and game of the state; however, Act No. 523, Regular Session of 1947 (Gen. Acts 1947, p. 379) as amended, is hereby expressly repealed.

Section 7. The members of the Water Improvement Commission who are serving their terms upon the effective date of this act together with the additional member representative of wildlife conservation herein provided shall, upon the effective date of this Act, become members of the Commission herein established, it being the intent that the present membership of the Water Improvement Commission together with said additional member shall constitute and become the new Commission with the terms of each of the members remaining unchanged. In respect to said additional member representative of wildlife conservation herein provided, the said Alabama Wildlife Federation, within sixty days after this bill becomes a law, shall submit five nominees for said membership to the Governor who shall appoint from said five names so submitted the additional member representative of wildlife conservation whose term shall begin immediately at the time of said appointment. The term of said additional member shall run concurrently with that of the other or incumbent member representative of wildlife conservation and shall expire at the same time, and thereafter the appointment of said two members representative of wildlife conservation shall be at the same time and their terms shall run concurrently. All of the matters pending before the Water Improvement Commission upon the effective date of this Act shall, upon the effective date of this Act, be transferred to the jurisdiction of the new Commission, and all actions heretofore taken and jurisdiction heretofore exercised by the Water Improvement Advisory Commission or Water Improvement Commission, as the case may be, shall be considered in all respects as having been acts of the new Commission. All personnel who are in the employ of or are assigned to the Water Improvement Commission upon the effective date of this Act shall, upon the effective date of this Act, become the employees of or assigned to the new Commission. All books, records, equipment, facilities, funds allocated to or in its possession (including unexpended appropriations), notes and accounts receivable and all other property of every kind whatsoever of the Water Improvement Commission upon the effective date of this Act shall, upon the effective date of this Act, be transferred to, vest in and become the property of the new Commission, and all contracts, leases, debts, obligations and liabilities of every kind whatsoever of the Water Improvement Commission upon the effective date of this Act shall, upon the effective date of this Act, be transferred to, inure to the benefit of and be binding upon the new Commission, it being the intent of this Act that the new Commission supersede and replace, but continue all business and affairs of, the Water Improvement Commission."

Section 8. If any clause, sentence, paragraph, provision, part or section of the Act shall for any reason be adjudged by any court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation

to the clause, sentence, paragraph, provision, part or section thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 9. This Act shall take effect three months from the date of its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Clark offered the following substitute for the Committee substitute for the Bill, H. B. 132, to-wit:

SUBSTITUTE FOR H. B. 132

A BILL TO BE ENTITLED AN ACT

To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Act 1947, p. 379) as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Purpose: The improvement and conservation of the ground and surface waters of the State of Alabama is of utmost importance. The existing water conditions of the state and the right of municipalities, industries and individuals to the reasonable use of such waters so as to promote the continued growth and development of the state, in industry, agriculture, health, recreation and conservation of natural resources is recognized.

Section 2. Definitions. When used in this Act the terms defined shall have the meanings here ascribed to them unless it clearly appears from the context that some other meaning is indicated.

"Commission" means the Water Improvement Commission; and "member" means a member of said Commission.

"Waters" means all waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the state.

"Sewage" means water-carried human wastes from residences, buildings, industrial establishments or other places, together with such ground, surface, storm or other waters as may be present.

"Industrial wastes" means liquid or other wastes resulting from any process of industry, manufacture, trade or business or from the development of any natural resources.

"Other wastes" means decayed wood, sawdust, shavings, bark, lime, refuse, ashes, offal, oil, tar, chemicals and all other substances, except industrial wastes and sewage, which may cause pollution of any surface waters of the state.

"Pollution" means the discharge or deposit of sewage, industrial wastes, or other wastes in such condition, manner or quantity as may cause ground or surface water to be contaminated, unclean, or impure to such an extent as to make said waters detrimental to the public health or to the health of animals, wildlife, fish, marine life or aquatic life; unsuitable with reasonable treatment for use as present or possible future sources of public water supply; or unsuitable for recreational, commercial, industrial, agricultural, or other reasonable uses.

"Person" means any and all persons, natural or artificial, including any individual, firm or association and any municipal or private corporation organized or existing under the laws of this or any other state or county.

"Section 3. Commission created; members, compensation and expenses; meetings; administrative and disbursing agent. (a) There is hereby created a Water Improvement Commission consisting of 14 members as follows: The State Health Officer, who shall be the chairman of the Commission; the Director of the Department of Conservation, who shall be Vice Chairman; the Commissioner of the Department of Agriculture and Industries; the State Geologist; one member representative of municipal government, one member representative of county government; two members representative of wildlife conservation; and six members respectively representative of the following six industries of the state, viz: Mining, Textiles, Chemicals, Lumbering, Paper, Metals.

(b) The four ex-officio members shall hold office as such throughout their respective terms and until the appointment and qualification of their successors as such. The remaining ten members of the Commission shall be appointed by the Governor and shall hold office for a term of six years. The member representative of a municipal government shall be appointed from three nominees made by Alabama League of Municipalities; the member representative of county government shall be appointed from three nominees made by Association of County Commissioners of Alabama, the two members representative of wildlife conservation shall be appointed from five nominees made by Alabama Wildlife Federation; the members representative of Mining, Textiles, Chemicals, Lumbering, Paper and Metals shall be appointed from three nominees for each of said industries, such nominations to be made by Alabama Mining Institute for Mining; Alabama Textile Manufacturers Association for Textiles; Alabama State Chamber of Commerce for Chemicals; Alabama Forest Products Association for Lumbering; Associated Industries of Alabama for Paper; and Alabama Mining Institute for Metals. In the event any such organization shall fail to make such nominations within sixty days after receipt of notice from the Chairman of the Commission, the Governor shall make any such appointment of his own discretion. The Technical Secretary of the Commission shall report the absence of any representative from three consecutive meetings to the Commission. The Commission, by majority vote, may declare the position of such absentee representative vacant. If the Commission shall so vote, the Technical Secretary shall forthwith notify the agency of the Commission's action and such agency shall, within sixty days, send to the Governor the names of three nominees and the appointment of a successor shall be made by the Governor in the manner provided for in this section.

(c) Upon the death, resignation or removal of any appointed member, the Governor shall, upon certification thereof to him by the Commission, appoint some qualified person to fill the vacancy for the unexpired term of said member, in the manner provided for in subsection (b). The term of office of every member shall be from the date of his appointment and qualification until the appointment and qualification of his successor. All members shall have been residents of the State of Alabama for two or more years prior to their appointment. The Chief Sanitary Engineer Division of the Bureau of Sanitation, of the Department of Public Health, shall serve as Technical Secretary to the Commission.

(d) No salary or compensation shall be allowed any member of the Commission for services thereon; this shall not, however, be construed to affect in any way the regular compensation of officials of state departments, who by virtue of their position are members of the Commission,

services on the Commission being considered a part of the duties or such officials as representative of the respective departments. Actual and necessary travel subsistence, and other expenses incurred by members in the discharge of their official duties as members of the Commission and by direction or request of the Commission, shall be paid as provided by law from any funds which are or may become available for the purpose of this act.

(e) The Commission shall meet regularly in April and October of each year and special meetings may be held at any time or place determined by the Commission or upon call of the Chairman or upon written request of any five members to take up any matters within its jurisdiction, provided that all members shall be notified of the time and place of any regular or special meeting at least ten days in advance of such meetings.

(f) The Commission shall keep a complete and accurate record of the proceedings of all its meetings, a copy of which shall be kept on file in the office of the Technical Secretary and open to public inspection.

(g) The State Department of Public Health shall be the administrative and disbursing agent for the Commission within the limits of appropriations and funds, which are or which may become available from any source for this purpose.

(h) There is hereby created an Executive Committee of the Water Improvement Commission consisting of five of its members as follows: The State Health Officer who shall be the Chairman of the Executive Committee; the Director of the Department of Conservation; the member representative of Municipal Government; a member representative of Industry; and a member representative of Wildlife Conservation. The member representative of industry and the member representative of wildlife conservation shall be appointed by the Chairman and shall serve at the pleasure of the Chairman. The Executive Committee may meet at any time or place upon call by the Chairman and, when the full Commission is not assembled, said Executive Committee may act for the full Commission and shall possess all such powers and jurisdiction of said Commission as may be delegated to it by said Commission provided, however, that every act or order of the Executive Committee shall be promptly reported in writing to each member of the Commission and shall become final and subject to review as the act or order of the Commission pursuant to par. (m) and par. (n) of Sec. 4 of this act seven days after the mailing of such report of the Executive Committee unless within said seven-day period any three or more members of the Commission shall request in writing to the Chairman of the Commission that such act or order of the Executive Committee be submitted to a meeting of the Commission for its review, in which event the Chairman shall submit the matter de novo to a meeting of the Commission, provided, that orders issued by the Executive Committee shall become effective immediately upon issuance and shall continue in effect in accordance with their terms unless changed by review of the Commission.

(i) Eight members of the Commission shall constitute a quorum for the transaction of Commission business.

(j) The incumbent members of the Water Improvement Commission as established under Act No. 523, Regular Session 1947 (Gen. Acts 1947, p. 379), as amended, together with the additional member representative of wildlife conservation as herein provided, and except for the representatives of the University of Alabama and Auburn University, which are deleted, shall constitute the membership of the Commission provided for in this Act and shall continue to serve until their successors are appointed as provided in Section 3 (b) or (c).

Section 4. Powers and duties of Commission; review and enforcement of orders. It shall be the duty of the Commission to control pollution in the waters of the State and it shall specifically have the following powers:

(a) To study and investigate all problems concerned with the improvement and conservation of the waters of the state. To conduct independently and in cooperation with others, studies, investigation, research, and to prepare, or in cooperation with others prepare, a program or programs, any or all of which shall pertain to the purity and conservation of the waters of the State of Alabama or to the treatment and disposal of sewage, industrial wastes, or other wastes which may be the causes of pollution, which studies, investigations, research and program or programs shall be intended to result in the reduction of pollution of the waters of the State of Alabama according to the conditions and particular circumstances existing in the various communities throughout the State of Alabama; to propose remedial measures insofar as practical means are available for abatement of such pollution. To this end the Commission may cooperate with any public agency, including Federal agencies, or with any private agency in the conduct of such experiments, investigations and research, and may receive in behalf of the State of Alabama, any moneys which any such agency may contribute as its share of the cost under any such cooperative arrangement. Provided that such moneys shall be used only for the purposes for which they are contributed, and any unexpended balance remaining after the conclusion of the experiments, investigation and research, or other uses for which such moneys were granted or donated, shall remain to the credit of the Water Improvement Commission Fund unless the terms of such grant, gift, or donation specifically require the return of any unexpended balance.

(b) It shall be the duty of the Commission to conduct surveys with respect to the pollution of any streams in the state either navigable or not navigable; to establish criteria standards for recognized limits of pollution; and, independently or in cooperation with other agencies, both public and private, to promote, through education and demonstration, water conservation and the abatement of stream pollution.

(c) Every person, municipality, industrial or other establishment, shall furnish to the Commission within a specified time but not less than ninety days after written request therefor, all pertinent information within their knowledge required by it in the discharge of its duties under this Act; provided, however, that no person or industry shall be required to disclose any secret formulae, processes or methods. The fees of witnesses for attendance and travel shall be the same as fees of witnesses before the courts of record and shall be paid from the appropriation for the expenses of the Commission. Any judge of a court of record, either in term time, or vacation, upon application of the Chairman or acting Chairman of the Commission shall compel the attendance of witnesses, the production of books and papers, and the giving of testimony before the Commission or any agent thereof by attachment, or contempt or otherwise, in the same manner as the production of evidence shall be compelled before said court. The Chairman of the Commission shall require the attendance of employees who are needed as witnesses without subpoena. Any member of the Commission or its employees or agents may enter any property, or any industrial or other establishment at any reasonable time for the purpose of collecting such information and no owner or official in charge shall refuse to admit such member, employee or agent for all purposes necessary to the discharge of his official duty.

(d) It shall be the duty of the Commission to render a formal report biennially to the Governor and each succeeding legislature in regular session assembled, of its activities and progress, and including any recommendations for amendment to this Act.

(e) It shall be the further duty of the Commission to extend its cooperation and to advise with industries and municipalities relative to the control of waste and other deleterious matter of pollutive nature and to make available to industries and municipalities the benefits of its studies and findings.

(f) It shall be the duty of the Commission to exercise general supervision over the administration and enforcement of all laws relating to pollution of the waters of the state. Whenever the Commission determines that any person is violating or is about to violate any of the provisions of this Act or any rule or order of the Commission promulgated thereunder, the Commission may notify such person of such determination of the Commission. The notice may be served by registered mail or by an officer empowered to serve process under existing laws or by an officer or agent of the Commission. Within such time as may be specified in such notice, such person shall file with the Commission a full report, showing steps that have been taken and are being taken to control such discharge or pollution. Thereupon, the Commission may make such orders as in its opinion are deemed reasonable.

(g) It shall be the duty of the Commission, after notice as herein-after provided to establish such standards of quality for any waters in relation to their reasonable and necessary use as shall be in the public interest, recognizing that because of variable factors and varied use of waters, no single standards of treatment and no single standard of quality are practical, and that the degree of treatment of sewage and industrial waste must take into account the present and future uses, and such general policies relating to existing or proposed future pollution as it shall deem necessary to accomplish the purposes of this Act, and to modify, amend or cancel the same. Any provision of law to the contrary notwithstanding, the quantity of pollution existing in an effluent at any time shall be subject to the control of the Commission if it creates a health hazard. Prior to establishing standards as herein provided, the Commission shall cause to be published in a newspaper published in and of general circulation in each county within which any such waters, wholly or partially, are located, a notice in substantially the following forms:

NOTICE

Of Water Improvement Commission

Notice is hereby given that a meeting of the Water Improvement Commission of the State of Alabama will be held on the _____ day of _____, 19____, at _____ for the purpose of establishing standards of quality in those certain waters in the county or counties of _____ Alabama, described as follows _____ (Describe Waters) _____.

Anyone desiring to be heard may appear at said meeting.

Water Improvement Commission

By: _____
Chairman

Such notice shall be published once a week for three consecutive weeks prior to the holding of any meeting of the Commission for consideration of such standards; provided, however, in any county where no such newspaper is available for publishing said notice, the prescribed notice shall be posted at the county courthouse of said county for a period of three weeks prior to holding of any such meeting of the Commission.

(h) It shall be the duty of the Commission to receive and examine applications, plans, specifications and other data and to issue permits for the discharge of sewage, industrial waste and other waste into the waters

of the state, stipulating in each permit the conditions under which such discharge may be permitted. Any order of the Commission with respect to the issuance of a permit shall be subject to review and appeal by the applicant as provided in subsection (n).

(i) It shall be the duty of the Commission, and it shall have the authority to adopt rules and regulations to carry out the provisions of this Act.

(j) It shall be the duty of the Commission to issue reasonable orders directing particular persons responsible for pollution to secure within a reasonable time to be specified by the Commission such operating results toward the control or abatement of pollution as the Commission may prescribe in accordance with this Act. (1) Every person who, prior to the effective date of this Act, is discharging any pollution into any waters of this state under a permit of the then existing Commission may continue to do so under said permit unless and until the Commission takes steps to modify the terms of the permit. (2) Every person who, subsequent to the effective date of this Act, begins discharging any new or increased pollution into any waters of this state shall apply to the Commission in writing for a permit and shall obtain such permit before discharging such pollution. (3) Every person, who, prior to the effective date of this Act, is discharging any pollution into any waters of this state without a permit covering such discharge may, in accordance with the terms of this Act, be required by the Commission to apply for such a permit as a condition of continuing such discharge. Whenever the Commission may determine after survey and investigation of a particular discharge of pollution for which no permit has been issued that such discharge may not meet the requirements of this Act or the rules and regulations or orders of the Commission, as the same may be applicable to such discharge, the Commission must require the municipality, industry or person discharging such pollution to apply for a permit with respect thereto. The applicant shall be granted a temporary permit upon his representation that a study looking toward improvement or control of the pollution is under way or will be instituted. The applicant shall be allowed a reasonable time, not exceeding six months, in which to develop and submit a plan to the Commission. If the plan submitted is satisfactory and approved by the Commission, a permanent permit shall be issued subject to compliance within seven years with such plan; however, if the plan is not satisfactory as submitted, the applicant shall be allowed a further period, not exceeding six months, in which to submit a revised plan. The Commission shall act on any such plan not later than six months subsequent to the submission of such plan. A person who does not submit a plan satisfactory to the Commission as herein provided shall be required to install within seven years thereafter, such waste systems, devices or methods as the Commission determines necessary to control his pollution and as may be in conformity with the provisions of this Act.

Any and all pollution shall be subject to immediate control of the Commission if it creates, or is about to create, a health hazard.

(k) The Commission shall investigate from time to time the discharge of pollution into the waters of the State, and if such investigation discloses that the discharge is not being made by a permittee in accordance with terms and specifications of a permit, the Commission may issue to the permittee an order to cease and desist from the acts or practices specified in the order.

(l) The Commission may enter into agreement with the responsible authorities of the Federal Government and of other states, subject to the approval of the Governor, relative to policies, methods, means and procedures to be employed to control pollution of any interstate waters and to carry out such agreements by appropriate general and special orders. This power shall not be deemed to extend to the modification

of any agreement with any other state concluded by direct legislative act, but unless otherwise expressly provided, the Commission shall be the agency for the administration and enforcement of any such legislative agreement.

(m) When the Commission makes any order directing any person or persons to do or not to do any act specified therein, a copy of such order shall be served upon such person or persons by registered mail or by other method provided in subsection (b) for service of process, and such person or persons may within a period of 30 days after such service, obtain a review of the order as provided in subsection (n). If no such review is obtained, then at the expiration of said period of 30 days after such service, the order of the Commission shall become final and conclusive. Service by registered mail as provided in this Act shall be had by mailing to the person to be served, postage prepaid, the papers to be served. The envelope containing such papers shall be marked "For Delivery Only to the Person to Whom Addressed" and a return receipt to be addressed to the Commission shall be demanded of the post office authority. Such return receipt when received shall be filled in the Commission's records and any entry shall be made upon such records of the date that the return receipt was received. Such receipt and record entry shall be prima facie evidence of service of process upon the person to whom the registered letter was addressed and serviced, for the purposes of this Act, shall be dated from the date of the receipt by the Commission of the return receipt.

(n) Any person who shall feel himself aggrieved by any rule or order of the Commission shall have the right to obtain a review thereof by filing with the Commission, within the time provided in subsection (m), a sworn petition setting forth the grounds and reasons for his complaint and asking for a hearing of the matter involved. The Commission shall thereupon fix the time and place of such hearing and shall notify the petitioner thereof by registered mail not less than ten days in advance of the hearing. At any time prior to the commencement of the hearing, any person may become an intervenor in the proceedings by filing a sworn petition setting forth facts showing that his rights may be prejudiced by an order of the Commission in the matter involved. The Commission and its members shall have full power to subpoena witnesses for the Commission, for the petitioner and for any intervenor, to administer oaths, examine witnesses under oath and conduct the hearing. At such hearing, the petitioner and any intervenor may appear, present witnesses and submit evidence. The order of determination of the Commission shall be served on the petitioner and any intervenor by registered mail or by other method provided in subsection (f) for service of process. At the expiration of 30 days from the date of serving on the parties such order or determination of the Commission upon the matters included in the hearing, the said order shall become final and conclusive unless the petitioner, or any intervenor whose rights are prejudiced by said order of the Commission, shall, within such period of 30 days after the service of such final order, appeal to the circuit court of Montgomery County, Alabama, by giving cost bond with sufficient sureties payable to the state, in such amount not less than \$100.00 or more than \$500.00 as may be fixed in the order appealed from said cost bond to be filed with and approved by the Chairman of the Commission, who shall forthwith certify to the circuit court to which the appeal is taken, the said cost bond together with a certified copy of the record of all proceedings of the Commission in the matter appealed from, but not including a transcript of the testimony of witnesses or other evidence. Said matter shall be tried de novo on the equity side of said circuit court and shall be a preference case on the docket thereof. On such trial the court shall have jurisdiction to determine whether said order of the Commission is lawful, and whether the same is reasonable, and whether a polluted

condition of any water or waters exists or is about to exist as set forth in the order appealed from, and to affirm, modify or wholly set aside such order, it being the intent and purpose of this Act that the order of said Commission, when appealed as hereinabove provided, shall be final and conclusive only when so determined by such court. The judgment of the circuit court shall be certified to the Commission. Any party to such action may within 30 days after judgment appeal to the Supreme Court of Alabama under the same procedure as governs appeals from courts of equity. If a supersedeas is desired by the party appealing, he may apply therefor to the judge of the court from which said appeal is taken, who shall award a writ of supersedeas, without additional bond, if, in his judgment, material damage is not likely to result thereby. Otherwise, said judge shall require such supersedeas bond as he deems proper, made payable to the State of Alabama in such amount as he shall require.

(o) The State Department of Public Health shall make such inspections, conduct such investigations, and do such other things as may be necessary to cooperate with the Commission in carrying out the provisions of this Act.

(p) Upon complaint made by the Commission, any person found guilty of willfully violating Section 4 or any order of the Commission which is made in pursuance of the provisions of this Act and which has become final and conclusive as provided in this Act shall be deemed guilty of a violation of the provisions of this Act which shall be punishable by a fine of not less than one-hundred dollars nor more than ten-thousand dollars.

(q) The Commission may recover damages by action at law in the circuit court for loss or destruction of wildlife, aquatic, fish or marine life caused by pollution of the waters of the state resulting from the wrongful act, omission or negligence of a person. Both punitive and compensatory damages may be recovered in a case where the pollution resulted from willful or wanton conduct on the part of the polluter; compensatory damages alone may be awarded when the pollution is caused by a negligent act or omission. Damages shall not be allowed in any case when the pollution is the result of an act of God. Such suits shall be filed in the name of the state by the Attorney General, at the direction of the Commission, in the county, or in the case of more than one county, in any county in which such wildlife, aquatic, fish or marine life or any part thereof were so destroyed or killed. Such sums as may be recovered as punitive or compensatory damages for the loss or destruction of wildlife, aquatic, fish or marine life shall be credited to the Game and Fish Division of the Department of Conservation, said sums to be expended for the betterment and improvement of the affected waters, including restocking of fish.

Section 5. Funds, facilities and personnel. The Commission is authorized to accept and use such funds, facilities, or personnel as may be or may become available for the purposes of this Act, either directly to the Commission or in any of the state departments or from Federal or other agencies represented; but nothing herein shall be construed to limit, modify, or supersede any of the powers or duties of said cooperating departments or agencies unless in direct conflict with this Act, nor to interfere with the power of each such department or agency to determine the disposition of funds specifically appropriated to it and to select, employ and control all of its employees regardless of the fact that said employees may be assigned and devoting the whole or a part of their time to work under the direction of the Commission. There is hereby created and there shall be a fund which shall be known as the Water Improvement Commission Fund. This fund shall consist of: (a) All moneys appropriated to the Commission by the State Legislature of

Alabama; (b) All moneys received by the Commission by appropriation from county or municipal governments; (c) All gifts, grants, bequests or donations from individuals, associations, corporations, or industries; (d) All moneys derived through any source of Federal Aid; and (e) All moneys accruing to the Commission from any source whatever. The fund shall be used and expended by the Chairman of the Commission in accordance with the terms of the gift, grant, bequest, appropriation or donation from which said moneys are derived, and in the absence of any such terms or stipulations shall be expended by the Chairman of the Commission in furtherance of any of the provisions of this Act. All necessary expenses of the Commission shall likewise be paid out of said fund on the requisition of the Chairman of the Commission as may be deemed advisable. The Commission is authorized to employ such consultants and fulltime technical and clerical and other workers as are necessary and within the available funds to carry out the purposes of this Act. The Technical Staff to be employed by the Commission shall be selected from, but not limited to, the following professional groups: sanitary engineer, chemical engineer, biochemist, geologist, fish culturist, mining engineer, agricultural engineer, forest engineer, analytical chemist, agronomist, bacteriologist, and biologist.

Section 6. Act intended to supplement existing law. This Act is intended to supplement existing law, and no part thereof shall be construed to repeal any existing laws specifically enacted for the protection of health or the protection of fish and game of the state; however, Act No. 523, Regular Session of 1947 (Gen. Acts 1947, p. 379) as amended, is hereby expressly repealed.

Section 7. The members of the Water Improvement Commission who are serving their terms upon the effective date of this act together with the additional member representative of wildlife conservation herein provided and except for the members representative of the University of Alabama and Auburn University, which are deleted, shall, upon the effective date of this Act, become members of the Commission herein established, it being the intent that the present membership of the Water Improvement Commission together with said additional member and except for the two members deleted shall constitute and become the new Commission with the terms of each of the members remaining unchanged. In respect to said additional member representative of wildlife conservation herein provided, the said Alabama Wildlife Federation, within sixty days after this bill becomes a law, shall submit five nominees for said membership to the Governor who shall appoint from said five names so submitted the additional member representative of wildlife conservation whose term shall begin immediately at the time of said appointment. The term of said additional member shall run concurrently with that of the other or incumbent member representative of wildlife conservation and shall expire at the same time, and thereafter the appointment of said two members representative of wildlife conservation shall be at the same time and their terms shall run concurrently. All of the matters pending before the Water Improvement Commission upon the effective date of this Act shall, upon the effective date of this Act, be transferred to the jurisdiction of the new Commission, and all actions heretofore taken and jurisdiction heretofore exercised by the Water Improvement Advisory Commission or Water Improvement Commission, as the case may be, shall be considered in all respects as having been acts of the new Commission. All personnel who are in the employ of or are assigned to the Water Improvement Commission upon the effective date of this Act shall, upon the effective date of this Act, become the employees of or assigned to the new Commission. All books, records, equipment, facilities, funds allocated to or in its possession (including unexpended appropriations), notes and accounts receivable and all other property of every kind whatsoever of the Water Improvement Commission upon the effective date of this Act shall, upon the effective

date of this Act, be transferred to, vest in and become the property of the new Commission, and all contracts, leases, debts, obligations and liabilities of every kind whatsoever of the Water Improvement Commission upon the effective date of this Act shall, upon the effective date of this Act, be transferred to, inure to the benefit of and be binding upon the new Commission, it being the intent of this Act that the new Commission supersede and replace, but continue all business and affairs of, the Water Improvement Commission.

Section 8. If any clause, sentence, paragraph, provision, part of section of the Act shall for any reason be adjudged by any court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, provision part or section thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 9. This Act shall take effect three months from the date of its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Oden
Adams	Eddins	James	Reynolds
Allen	Evans	Lolley	Roberts
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Givhan	Mathews	Robison (Pickens)
Carter	Hammond	McCain	Shelton
Clark	Hawkins	McDow	Smith
Cooper	Hornsby	Nichols	Taylor

—31

Nays:

—0

And said Bill, H. B. 132, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Oden
Adams	Eddins	James	Reynolds
Allen	Evans	Lolley	Roberts
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Givhan	Mathews	Robison (Pickens)
Carter	Hammond	McCain	Shelton
Clark	Hawkins	McDow	Smith
Cooper	Hornsby	Nichols	Taylor

—31

Nays:

—0

The Bill:

S. 114. Relating to witnesses; to provide for privileged communications between clergymen or ministers and persons seeking spiritual advice or guidance.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 114

Amend Senate Bill No. 114 as follows:

Delete the first twelve words of Section 1 and insert in lieu thereof the words "A clergyman of any religion, an ordained minister, a Rabbi, Priest or duly accredited Christian Scientist Practitioner shall not be"

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dumas	James	Reynolds
Adams	Eddins	Lolley	Roberts
Allen	Evans	Lowe	Robison (Montgomery)
Bentley	Gilchrist	Mathews	Robison (Pickens)
Brannan	Givhan	McCain	Shelton
Carter	Hammond	McDow	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	

—30

Nays:

—0

And said Bill, S. B. 114, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dumas	James	Reynolds
Adams	Eddins	Lolley	Roberts
Allen	Evans	Lowe	Robison (Montgomery)
Bentley	Gilchrist	Mathews	Robison (Pickens)
Brannan	Givhan	McCain	Shelton
Carter	Hammond	McDow	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	

—30

Nays:

—0

The Bill:

H. 108. To amend Title 28 Section 49 of the Code of Alabama (1940), recompiled 1958, to provide that the Superintendent of Insurance shall not grant a certificate of authority to an insurance company to issue policies or make contracts of insurance if the name of such company is so similar to another insurance company already licensed or authorized to do business in this State as is likely to cause uncertainty or confusion, or until such company is duly qualified under the laws of this state to transact the business of insurance, and for other purposes.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Oden
Adams	Eddins	James	Reynolds
Allen	Evans	Lolley	Roberts
Bentley	Gilchrist	Lowe	Robison (Montgomery)
Brannan	Givhan	Mathews	Robison (Pickens)
Carter	Hammond	McCain	Shelton
Clark	Hawkins	McDow	Smith
Cooper	Hornsby	Nichols	Taylor

—31

Nays:

—0

The Bill:

S. 611. To alter or rearrange the boundaries of the Town of Powells Crossroads, DeKalb County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Roberts
Bentley	Hammond	McCain	Robison (Montgomery)
Clark	Hornsby	McDow	Shelton
Cooper	Horton	Nichols	Taylor
Dumas	James		

—25

Nays:

—0

The Bill:

H. 28. To amend Section 492 of Title 2 of the Code of Alabama of 1940 relating to the expenditure of funds for compiling agricultural statistics.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Reynolds
Allen	Eddins	James	Roberts
Bentley	Evans	Lolley	Robison (Montgomery)
Brannan	Gilchrist	Lowe	Robison (Pickens)
Carter	Givhan	McCain	Smith
Clark	Hammond	Nichols	Taylor
Cooper	Hornsby		

—25

Nays:

—0

The Bill:

H. 379. Further regulating purchasing by or for the use of the state highway department.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Hornsby	McCain
Allen	Dumas	Horton	Oden
Bentley	Eddins	James	Reynolds
Brannan	Evans	Lolley	Roberts
Carter	Givhan	Lowe	Robison (Pickens)
Clark	Hammond	Mathews	Taylor

—23

Nays:

—0

The Bill:

H. 110. Relating to insurance companies and permitting companies to carry electronic and mechanical machines constituting data processing systems as admitted assets, and for other purposes.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	James	Roberts	
Bentley	Evans	Lolley	Robison (Montgomery)	
Brannan	Gilchrist	Lowe	Robison (Pickens)	
Carter	Givhan	Mathews	Shelton	
Clark	Hammond	McCain	Smith	
Cooper	Hornsby	Nichols	Taylor	
Dumas	Horton	Reynolds		—26

Nays:

—0

The Bill:

H. 970. To amend Section 509 sub-section 23 of Title 52 of the Code of Alabama of 1940 as recompiled.

(Pertaining to State Fire College Advisory Committee).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dumas	James	Nichols	
Bentley	Eddins	Lowe	Reynolds	
Brannan	Evans	Mathews	Roberts	
Carter	Givhan	McCain	Robison (Pickens)	
Clark	Hammond	McDow	Taylor	
Cooper	Hornsby			—21

Nays:

—0

The Bill:

S. 527. To amend Section 2, Act No. 688, H. 336, Regular Session 1953, relating to the operation of motor vehicles and farm trailers on public highways.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 23; Nay 1.

Yeas:

Messrs.:	Eddins	James	Reynolds	
Bentley	Evans	Lolley	Roberts	
Brannan	Givhan	Mathews	Robison (Montgomery)	
Clark	Hammond	McDow	Robison (Pickens)	
Cooper	Hornsby	Nichols	Shelton	
Dumas	Horton	Oden	Taylor	
				—23

Nay: Mr. Carter

—1

MOTION TO RECONSIDER

Mr. Dumas moved that the Senate reconsider the vote by which it passed the Bill, H. B. 836, as amended. Mr. Dumas further moved that his motion to reconsider be postponed until the next Legislative Day, which motion was adopted.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Cooper, further consideration of all Senate Bills remaining on the Calendar was indefinitely postponed by the Senate.

ADJOURNMENT

The hour of 12 o'clock Midnight having arrived, the Chair declared the Senate adjourned, in accordance with Joint Resolution heretofore adopted, until Thursday, August 19, 1965, at 10 o'clock A. M.

THIRTY-FIFTH LEGISLATIVE DAY

THURSDAY, AUGUST 19, 1965

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by the Honorable C. M. Wilson, Chaplain of the Senate.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Wilson
Dumas	James		

—33

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-Fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. MCCAIN,
Chairman.

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journal of the Senate for the Thirty-Fourth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Evans, leaves of absence were granted Messrs. Metcalf and Tyson for today.

STATEMENT BY MR. McDOW

August 19, 1965

Mr. President, Members of the Senate:

On the last legislative day in the last hour, the Senate passed a substitute for House Bill 132, the Anti-Pollution Bill. At the time Senator Clark asked unanimous consent to bring up this bill, I strongly objected for two reasons—one, this substitute had been prepared during this day and I felt that neither I nor the members of the Senate had had an opportunity to study it; and, secondly, this was a House bill and I had consistently supported the position on that day that the Senate bills on the calendar should receive consideration as this was the last day they could receive consideration. I withdrew my objection and the Senate unanimously passed the Senate version of H. B. 132.

As you know, I have strongly supported a position of taking a major step toward clean water in Alabama. Since the last legislative day, I have had opportunity to study this measure and I am firmly convinced this provides the legislation to take a major step toward clean water for Alabama. There have been those who have been criticized for what seemed to be delays in the consideration of an anti-pollution measure. I want to take this opportunity to publicly commend all of those who had a part in the preparation and passage of this bill and in particular I want to commend Lt. Governor Allen for his concern and efforts in reaching an agreement. I would most heartily commend Senator A. C. Shelton and the members of the Senate Public Health Committee for their patience and efforts on behalf of this measure. There are those who are not members of the Legislature who have worked long and hard on this legislation and certainly they should be commended. These include: Mr. Hap Parker, Mr. Virgis Ashworth, Mr. Joe Graham, Dr. Ira Meyers and the members of the present Water Improvement Commission, Mr. John Spaulding and the members of the Alabama Wildlife Federation; and certainly this could not have come about without the dedicated work of Representative Joe McCorquodale and Representative Aubrey Carr. I am strongly recommending to my colleagues in the House that they do concur in the Senate substitute and it is my sincere hope that the House does unanimously concur.

/s/ J. T. McDOW.

The foregoing statement by Mr. McDow was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 359. To authorize and provide for the establishment of a fund to be designated as the "Solicitor's Fund" for the solicitor of the Nine-

teenth Judicial Circuit, to be drawn upon by the circuit solicitor of the Nineteenth Judicial Circuit, and to provide that the solicitor's fees taxed in all criminal proceedings in the circuit court of Elmore, Autauga, and Chilton Counties be paid into such fund for such purpose.

Also:

H. 461. To apply in all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing expense allowances for coroners of such counties.

Also:

H. 485. To provide for the alteration or rearrangement of the boundary lines of the City of Fultondale, in Jefferson County, Alabama, so as to include within the corporate limits of said City of Fultondale, the territory in said county now without the corporate limits of any city or town; commonly known as Darlene Estate Community, and described by metes and bounds as follows:

Commence at the SW corner of the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 19, Township 16, Range 2, said point being on the City Limits of Fultondale, and run North along the West line of Section 19 to the SW corner of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section; thence run East on the South line of said N $\frac{1}{2}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$ NW $\frac{1}{4}$, to the West line of NE $\frac{1}{4}$ NW $\frac{1}{4}$ of the Section; thence run North on the West line of said $\frac{1}{4}$ NW $\frac{1}{4}$ to its NW corner; thence run East on the North line of Section 19 to the NE corner of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section; thence run South on the East line of said W $\frac{1}{2}$ W $\frac{1}{2}$ to the South line NW $\frac{1}{4}$ NE $\frac{1}{4}$; thence run East on the South line of said $\frac{1}{4}$ Section 434 feet to the West Lot line of Lot 47, Newcastle No. 4; thence run southerly 222 feet along the West lot lines of Lots 46 and 47, Newcastle No. 4, to the SW corner of said Lot 46; thence Northwesterly 151.3 feet; thence Southwesterly 159.8 feet to the Northwest corner of Lot 43, Newcastle No. 4; thence Southerly along the West lot lines of Lots 25 through 39 and Lot 41 and Lot 43, Newcastle No. 4, to the Southwest corner of Part B. Lot 25, Newcastle No. 4, at Oak Street; thence run Westerly along the Right-of-way of Oak Street 256, more or less, to the NE corner of Lot 24, Newcastle No. 4; thence along the North line of said Lot 24 to its NW corner; thence Southwesterly along the West lot line of Lot 24 and Lot 21, Newcastle No. 4, to its intersection with the South line of N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 19, thence run West along the said South line of N $\frac{1}{2}$ of SW $\frac{1}{4}$, the present City Limits of Fultondale, to the point of beginning. Situated in Jefferson County, Alabama.

and to provide for an election as a part of the provisions for such alteration or rearrangement.

Also:

H. 801. To authorize the Director of Conservation to open a season in counties having a population of not less than 48,100 nor more than 49,700, for the hunting of female deer or unantlered male deer.

Also:

H. 809. To authorize the Director of Conservation to open a season in counties having a population of not less than 32,500 nor more than 35,000, for the hunting of female deer or unantlered male deer.

Also:

H. 926. To amend and extend the corporate limits of the Town of Vina, Alabama.

Also:

H. 946. To regulate further the compensation of clerical assistants of certain officers of counties having populations of not less than 19,000 nor more than 19,500.

Also:

H. 1003. To alter, rearrange and extend the boundary lines and Corporate limits of the Town of Rogersville, Lauderdale County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 1005. To fix the compensation of election officers in Lawrence County.

Also:

H. 1038. To establish a Law and Equity Court for Chilton County, Alabama; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties, and compensation; to provide for a Court Reporter for said Court and fix and prescribe his duties, compensation, and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, Chilton County Law and Equity Court, Probate Court, and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the Chilton County Law and Equity Court.

Also:

H. 1042. To amend further Section 1 of Act No. 158, H. 399, Regular Session 1961 (Acts 1961, p. 206), which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to regulate further the payment of an expense allowance to the coroner in any such county.

Also:

H. 1043. Relating to Geneva County: To authorize the county governing body to employ an industrial development agent for the County; fix his term of employment and compensation, and prescribe his duties.

Also:

H. 1044. Relating to Geneva County: To provide further for the distribution of fines and forfeitures in certain cases.

Also:

H. 1045. Relating to Geneva County; to withdraw and take away criminal and quasi-criminal jurisdiction from justices of the peace and notaries public ex officio justices of the peace.

Also:

H. 1046. To repeal special county excise taxes in counties having populations of not less than 19,500 nor more than 20,000.

Also:

H. 1053. To amend Section 17 of Act Number 385 of the 1947 Session of the Legislature of Alabama, approved September 16, 1947 (General Acts of Alabama 1947, page 280) entitled "An Act to apply in, and only in, counties which have a population of 400,000 inhabitants or more, according to the last of any subsequent Federal census; and to require the payment to each such county of a license tax, in addition to all other taxes and licenses imposed or levied by law, of one cent on each gallon of gasoline sold, distributed, delivered, stored or taken out of storage within such county; and to define gasoline more comprehensively than the ordinary import of such terms; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this Act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this Act; and to repeal all ordinances of any municipality within such county which imposes or levies any gasoline license tax based upon, or graduated by the number of gallons of gasoline; and to prohibit any such municipality from levying any additional license tax on gasoline based upon the number of gallons sold, distributed, stored, delivered or withdrawn from storage; and to provide the effective date of this Act".

Also:

H. 1055. To authorize the Registers and Clerks of all Circuit Courts in counties having a population of 600,000 inhabitants or more, according to the last or any subsequent Federal census, to record all pleadings, decrees and other documents presently or hereafter required to be recorded, by means of photograph or microphotograph machines, and for preserving such on film and microfilm.

Also:

H. 1056. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 19 South, Range 4 West, Jefferson County, Alabama.

Also:

H. 1064. To amend further Section 1, Act No. 501, S. 399, Regular Session 1957, an act regulating the compensation of the judge of probate of Madison County.

Also:

H. 1065. To amend further Section 3, Act No. 661, H. 1077, Regular Session 1957, the act creating the Madison County Court, in relation to the compensation of the judge of said court.

Also:

H. 1057. To provide for the establishment of a retirement system for employees and officers of Jefferson County, Alabama, and for the Circuit Solicitor in said County, the Solicitor of the Juvenile and Domestic Relations Court of said County, the Solicitor of the Jefferson County Criminal Court and any deputy appointed by said Circuit Solicitor; to provide for the abolition of the retirement systems established by Act No. 551 of the Legislature of Alabama of 1953, (Ala. Acts, 1953, pages 766, et seq.), and by Act No. 843 of the Legislature of Alabama of 1961, (Ala. Acts, 1961, pages 1250 et seq.); to transfer the assets of the pension systems abolished as aforesaid to the retirement system established by this act; to provide that all members of the abolished systems shall be members of the retirement system hereby established which shall be liable for all obligations of the abolished systems; to provide that the retire-

ment system established by this act shall be financed by contributions of said employees and officers and said County to the pension fund; to provide for the administration of the said retirement system by a Pension Board; and to authorize, but not require, the Pension Board to purchase annuity contracts, or policies, to assure payment of benefits accruing in favor of members of either of the two abolished retirement systems.

Also:

H. 1130. To regulate the handling, control, custody and disposition of all official or trust funds by clerks or deputy clerks of the circuit court in counties in this state having a population of 500,000 or more according to the last or any subsequent Federal census; to provide that the county commission or like governing body in such counties shall name the depositories to receive such funds, and may provide that any of such funds may be invested; to provide that such circuit clerks or deputy clerks shall be relieved from personal liability for any loss by reason of the failure of any depository designated by the aforesaid county commissions or like governing body; that such clerks or deputy clerks of the circuit court shall disburse such funds in accordance with the judgments, orders and decrees of any judge of the circuit court sitting in and for such counties; that any clerk or deputy clerk of the circuit court who fails to comply with the provisions of this Act shall be guilty of wilful neglect of duty; that all laws or parts of laws, local, special or general, in conflict with this Act are hereby repealed.

Also:

H. 1150. Relating to all counties having populations of not less than 22,350 nor more than 24,350 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Also:

H. 1151. To amend Section 2 of Act No. 437, H. 937, Regular Session 1951, an act fixing the compensation of the members and chairman of the board of revenue and control of Morgan County.

Also:

H. 1152. To amend further Section 1 of Act No. 464, H. 879, Regular Session 1939, an act fixing the compensation of the tax collector of Morgan County (Local Acts 1939, p. 278).

Also:

H. 1153. To amend further Section 1 of Act No. 361, H. 878, Regular Session 1939, an act fixing the compensation of the Tax Assessor of Morgan County (Local Acts 1939, p. 248).

Also:

H. 1175. To impose and levy in every county of the State having a population of 500,000 or more according to the last or any subsequent Federal Census a tax on every person who sells, stores or delivers cigarettes or smoking tobacco in the county, in the form of a license tax in the amount prescribed in the act, which tax shall be in addition to all other taxes now imposed by law; to provide for the amount, or rate, of the tax which shall be levied on the sale, storage or delivery of cigarettes and smoking tobacco; to provide that the taxes levied by this act shall be paid by the use of stamps, which shall be affixed to the tobacco products subject to said tax; to provide for certain exemptions

from the taxes levied by this act; to provide for the method of collecting and enforcing the taxes levied by this act; to provide penalties for the violation of this act; to provide that any person who sells or stores or receives for the purpose of sale or distribution any article containing tobacco enumerated in this act shall add the amount of the license or privilege tax levied and assessed by this act to the price of the article, and shall collect from the purchaser the amount of the tax due under this act; to provide that the officer or employee chargeable with the duty of collecting privilege or license taxes payable to the county shall collect the taxes levied by this act; to provide that the said officer or employee collecting the taxes levied by this act shall pay one per cent (1%) of the total amount of taxes collected by him to the treasury of the county, as compensation to the county for expenses incurred by the county in securing the stamps necessary for the administration of this act and for other expenses incurred by the county in the collection of the taxes and the enforcement of this act; to provide that the officer or employee collecting the taxes shall pay all of the proceeds of the taxes, except the one per cent (1%) deducted as aforesaid, to a public corporation heretofore or hereafter created by the Legislature of Alabama for the purpose of establishing, constructing, maintaining, and operating a civic center in that municipality wherein the county seat of the county is situated, to the end that the said taxes may be used by the said public corporation for the purposes for which it is created; to provide that the taxes levied by this act shall go into effect, or become effective, on the first day of the calendar month next following that calendar month in which there is adopted an act creating in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a public corporation for the purpose of establishing, maintaining and operating a civic center in the county seat of said county provided, however, that if the last mentioned act has been enacted prior to this act becoming a law, then the taxes levied by this act shall become effective, and go into effect, on the first day of that calendar month next following the calendar month in which this act becomes a law; and to provide for the repeal of all laws, whether general, special or local, in conflict with the provisions of this act.

Also:

H. 1154. To abolish the jury commission of Morgan County as presently constituted and create in lieu thereof a commission composed of the circuit court judges of the eighth judicial circuit of Alabama or as many thereof as may be residents of Morgan County, the judge of the county court of Morgan County, and two additional members to be appointed by the governor.

Also:

H. 1054. To authorize the Registers and Clerks of all Circuit Courts, in Counties having a population of 600,000 or more inhabitants, according to the last or any subsequent Federal Census, to destroy certain documents, papers and exhibits.

Also:

H. 1179. To authorize and empower the Board of Revenue, County Commission or like governing body in all counties of this State having a population of 400,000 or more inhabitants according to the last or any subsequent federal census, to construct and improve lateral sewer lines in subdivisions located outside the limits of municipalities in such counties, such lateral sewer lines to be constructed or improved under the provisions of and subject to the terms and conditions of Act No. 519 of the 1947 Regular Session of the Legislature of Alabama, approved September 30, 1947 (1947 General Acts, p. 356).

Also:

H. 1183. To repeal Act No. 87 of the Second Special Session of the Legislature of Alabama of 1963 (Acts of Alabama, 1963, Page 252), providing that any recorder of a city having a population of 350,000 or more shall have the power and authority to require an appeal bond in any case appealed to the Circuit Court or court of like jurisdiction in any reasonable amount not exceeding \$2,500.

Also:

H. 1131. Pertaining to sheriffs fees in counties having population of 500,000 or over. To amend Section 34 of Title 11 of the 1940 Code of Alabama.

Also:

H. 1133. To provide for payment of fees of state witnesses in criminal cases from the general funds of Limestone County.

Also:

H. 1126. To authorize and provide for the establishment, maintenance, operation and financing of a public library in Alabama, in any County having a population of not less than 36,600 nor more than 37,600 according to the Federal census of 1960.

Also:

H. 1087. Relating to Autauga County; authorizing the county board of revenue to provide office space, and certain equipment and supplies for the board of registrars and other governmental agencies in the county.

Also:

H. 1088. Relating to Autauga County; requiring the county to pay the premiums on the official bonds of all county officers who hold office by election.

Also:

H. 1177. To impose and levy in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a privilege or license tax against or on every person engaged in the county in the business of renting or furnishing any room or rooms, lodging or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings, or accommodations are rented or furnished for a consideration, and also a privilege or license tax on every person engaged in such county in the business of renting or furnishing space for the accommodations of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the officer or employee chargeable with the duty of collecting privilege or license taxes payable to the county shall collect the taxes levied by this act; to provide that the said officer or employee collecting the taxes levied by this act shall pay one per cent (1%) of the total amount of taxes collected by him to the treasury of the county, as compensation to the county for expenses incurred by the county in the collection of said taxes and in the administration and enforcement of this act; to provide that the officer or employee collecting the taxes shall pay all of the proceeds of the taxes, except the one per cent (1%) deducted as aforesaid, to a public corporation heretofore or hereafter created by the Legislature of Alabama for the purpose of establishing, constructing, maintaining, and operating a civic center in that municipality wherein the county seat of the county is situated,

to the end that the said taxes may be used by the said public corporation for the purposes for which it is created; to provide that the taxes levied by this act shall go into effect, or become effective, on the first day of the calendar month next following that calendar month in which there is adopted an act creating in every county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a public corporation for the purpose of establishing, maintaining and operating a civic center in the county seat of said county provided, however, that if the last mentioned act has been enacted prior to this act becoming a law, then the taxes levied by this act shall become effective, and go into effect, on the first day of that calendar month next following the calendar month in which this act becomes a law, and to provide for the repeal of all laws, whether general, special or local, in conflict with the provisions of this act.

Also:

H. 1156. To permit, and to provide for, the establishment of branch banks in Randolph County.

Also:

H. 1086. Relating to Autauga County; authorizing additional days of meeting of the county board of education.

Also:

H. 1125. To authorize the establishment of branch banks in counties having a population of not less than 36,600 nor more than 37,600.

Also:

H. 1135. Relating to counties having populations of not less than 15,400 nor more than 16,000 inhabitants, according to the most recent federal decennial census; providing further for the payment of an expense allowance to coroners of such counties.

Also:

H. 1122. To amend further Section 4 of Act No. 103, H. 363 of the Regular Session of 1953 (Acts of 1953, Vol. I, p. 145) entitled "An Act to establish a City of Dothan Pension and Retirement System," in relation to the handling of the retirement fund.

Also:

H. 1104. To amend Act No. 98, H. 362, approved June 16, 1945, an act relating to the fine and forfeiture fund of Choctaw County (Local Acts 1945, p. 65).

Also:

H. 1174. Relating to Bullock County; providing further for the administration and collection of special privilege licenses or excise taxes levied pursuant to Act No. 176, H. 687, Regular Session 1957, imposing certain duties upon the Court of County Commissioners of said county in reference to the enforcement of such taxes and the collection thereof.

Also:

H. 1171. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulates their compensation and allowances.

Also:

H. 1024. For the relief of Stancil L. Beams and to appropriate the sum of Two Thousand Five Hundred and No/100 (\$2,500.00) Dollars from any funds of Tuscaloosa County, not otherwise appropriated, for the use and benefit of Stancil L. Beams, to compensate him for injuries received while doing work in the Commodity Warehouse in Tuscaloosa, Alabama, on July 17, 1964, and to authorize and require the Board of Revenue or Treasurer of Tuscaloosa County, Alabama, to pay said sum to the said Stancil L. Beams.

Also:

H. 1114. To amend Section 2 of Act No. 18, H. 6, First Special Session 1955, an act creating the Cullman County Commission on Education.

Also:

H. 1187. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Moulton, Lawrence County, so as to annex certain territory to the town.

Also:

H. 1192. To alter, extend, and rearrange the boundaries of the municipality of Livingston in Sumter County.

Also:

H. 1101. To apply only in counties of the state having populations of not less than 14,300 nor more than 14,800 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

H. 1105. Relating to counties having populations of not less than 14,000 nor more than 15,000; providing an expense allowance for the superintendent of education of any such county.

Also:

H. 1106. Relating to counties having populations of not less than 14,000 nor more than 15,000; providing expense allowances for certain deputy sheriffs of such counties.

Also:

H. 1109. To increase the compensation of the Clerk of the Circuit Court of Cullman County.

Also:

H. 1026. Proposing an amendment to the Constitution of Alabama relating to the town of Lester, Limestone County, and ordering an election thereon.

Also:

H. 1132. Proposing an amendment to the Constitution of Alabama relating to special property taxes in the City of Auburn.

Also:

H. 1051. Proposing an amendment to the Constitution relating to authorizing the City of Birmingham to levy and collect each year in addition to all other taxes, now or hereafter authorized, a special ad valorem tax of fifty cents on each one hundred dollars worth of taxable property in the City.

Also:

H. 1178. To propose an amendment to the Constitution of Alabama relating to any public corporation heretofore or hereafter created in any County in the State of Alabama having a population of more than 500,000, according to the last or any subsequent Federal census, for the purpose of establishing, maintaining and operating a civic center in the municipality in which the county seat of such County is situated; to provide that such corporation shall be authorized, without the necessity of any election, to issue bonds, warrants or other evidence of indebtedness and to pledge for the payment of the principal and interest due thereon the revenue received, or to be received by such public corporation and also to pledge for such payment the proceeds derived, or to be derived, from any taxes made payable by the act or acts levying such taxes to the said public corporation, any provision of the Constitution of Alabama to the contrary notwithstanding; to provide that securities issued by such corporation shall not be considered indebtedness of such County or any municipality therein within the meaning of Sections 224 and 225 of the Constitution of Alabama; and to provide that the rent or rentals that the said County or the said municipality may be obligated to pay under the terms of any lease between the said corporation and the County or the said municipality shall not be considered in determining whether the County or the municipality has exceeded the debt limitation prescribed for the County or municipality, as the case may be, by any provision of the Constitution of Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 8. Defining and regulating the practice of physical therapy; providing for examination and licensing of physical therapists; providing for the appointment of a Board of Physical Therapy; providing for the enforcement of the provisions of this Act; and prescribing penalties and fees.

Also:

H. 473. To authorize and provide for stenographic service to the judges of the Fourth Judicial Circuit, the solicitor of such circuit and the judge of the Dallas County Court; to provide for the employment of a stenographer to furnish such service whose compensation shall be payable from the circuit court's contingent fund.

Also:

H. 474. To provide an expense supplement for the circuit solicitor of the Fourth Judicial Circuit of Alabama, payable from the solicitor's fund.

JOHN W. PEMBERTON,
Clerk.

H. 923. To create an inferior court for Franklin County in lieu of the county court, defining its jurisdiction, providing for its officers and prescribing their powers and duties, and abolishing the county court.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Avery, Salter, Tuck, Young, Cates and Barnett:

H. J. R. 160. WHEREAS, the Birmingham Post-Herald for today, August 17, 1965, quotes Representative Armistead Selden as saying that the recent California riots were tragic, but should make the American public realize: "First that racial problems in the United States are not confined to the South, Second, that those who have condoned or even encouraged violations of local and state laws in Alabama are encouraging similar violations throughout the United States. Third, that the continued passage of discriminatory force legislation will not eliminate America's racial frictions;" now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we commend Representative Selden for his statement relative to the tragic situation in California and particularly for his judicious evaluation of the causes of the current riots and racial frictions now plaguing this Nation and his succinct and forceful enumeration of the lessons which should be learned by peoples throughout America from recent riots.

BE IT FURTHER RESOLVED that the Legislature is particularly pleased that Representative Selden took this opportunity to point out to the world that Alabama has no monopoly on discontent and urges him to make this point again whenever the opportunity arises.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Montgomery, the Rules were suspended and the Resolution, H. J. R. 160, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Holladay:

H. J. R. 158. WHEREAS Miss Iola Roberts during a lifetime of unselfish service has contributed immeasurably to the educational and community life of Pell City and South St. Clair County; and

WHEREAS Miss Roberts, as a teacher and principal of Avondale Elementary School and later of South St. Clair County Elementary School, has served with inspiration, diligence, and ability. Her fine example through the years has instilled in the students under her charge a greater appreciation for the democratic institutions of our society, a keener interest in education and the Arts, and a desire to improve themselves and fulfill their capabilities as persons; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby designate the South St. Clair County Elementary School as "The Iola Roberts Elementary School" in honor and appreciation of this inspiring and dedicated lady whose contributions to educational, religious, and civic life have benefited thousands of citizens in St. Clair County.

BE IT FURTHER RESOLVED That copies of this Resolution be sent to Miss Roberts and to the St. Clair County Board of Education.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bentley, the Rules were suspended and the Resolution, H. J. R. 158, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Holladay:

H. J. R. 159. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new Junior High School to be constructed at Pell City shall be designated and known as "The O. D. Duran Junior High School", as a tribute to the memory of a gentleman and scholar who devoted years of dedicated service as a teacher, principal, and superintendent of education in Saint Clair County, and who served as an inspiration to the youth of the county.

RESOLVED FURTHER, That the St. Clair County Board of Education is hereby authorized and directed to cause suitable and appropriate words to be inscribed upon or affixed to the new Junior High School to be built at Pell City, designating said building as "The O. D. Duran Junior High School".

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bentley, the Rules were suspended and the Resolution, H. J. R. 159, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Pennington, Hain, Nettles and Casey:

H. J. R. 161. WHEREAS the First Amendment to the Constitution of the United States of America guarantees to the people the right to peaceably assemble and to petition the Government for redress of grievances; and

WHEREAS, demonstrations under the guise of a petition for redress of grievances have become commonplace in Alabama and throughout the nation; and

WHEREAS, these demonstrations have far exceeded both in scope and numbers of participants anything reasonably necessary to present a petition for a redress of grievances or to dramatize any grievance; and

WHEREAS, the size, scope and frequency of these demonstrations has placed such an unreasonable burden upon the various law enforcement agencies of this State that police officials, State Troopers and other law enforcement personnel have been diverted from their usual duties to maintain law and order at the site of the demonstrations; and

WHEREAS, the State of Alabama has suffered sharp increases in traffic accidents, in traffic deaths and immeasurable property damage due to this diversion of police officers from their regular duties; and

WHEREAS, Alabama citizens are basically law abiding and have a deep respect for law and order, but abhor these illegal acts of civil disobedience exhibited by such mass demonstrations which have caused deaths, personal injuries, destruction of property and the interruption of business and private pursuits of Alabama citizens; and

WHEREAS, experience has proven that judicial regulation of demonstrations and limitation of numbers of participants is an invaluable tool in the preservation of law and order; and

WHEREAS, it is the considered judgment of the Legislature of Alabama that there is a reasonable expectation of continued mass demonstrations in this State, involving civil disobedience and breaches of the peace which, if not regulated by appropriate judicial means and are allowed to continue unregulated and unabated will constitute a grave threat to the public safety and seriously endanger life and property of the demonstrators and the public alike; and

WHEREAS, in recognition of the limited number of law enforcement personnel available and a limitation on the capability of state and local governments to finance additional law enforcement personnel, and recognizing the possibility of grave and irreparable damage to the citizens of the State without adequate police protection; and

WHEREAS, the atmosphere and emotions involved in all demonstrations are potentially explosive and bring together the same combination of forces from which riots erupt;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, as follows:

1. That the Governor of Alabama is hereby requested to act in situations where he has reasonable cause to believe that a demonstration is impending, to petition the appropriate Federal Court with jurisdiction in the area, to regulate such demonstrations by judicial decree prescribing the time, place and number of participants of such demonstrations.

2. That the President of the United States is respectfully requested to foster and encourage a responsible attitude on the part of all of our citizenry by giving public recognition to the fact that demonstrations constitute a grave threat to the maintenance of law and order throughout these United States and that they bring forth an atmosphere and environment of the sort wherein riots erupt, and that the President is further respectfully requested to implement this public recognition by inaugurating and aggressively pursuing policies throughout the executive branch of the Federal Government which are calculated to discredit demonstrations and demonstrators and to encourage and promote the strict regulation thereof.

3. That in any situation involving civil disobedience, rioting, arson, sniping, or other acts of insurrection, or which create conditions which, in the judgment of the Governor of the State of Alabama the law enforcement personnel of this State are unable to control and suppress without impairment or curtailment of necessary state and local services to which the public is entitled or if, in the judgment of the Governor, extra police protection occasioned by any such acts of disorder and lawlessness imposes financial responsibilities beyond the capability of state and local government to meet from available revenues, that the Governor be and he is hereby authorized and encouraged to take such action as may be deemed advisable to request the United States Government to furnish and defray the cost of such police protection as may be necessary in the public interest.

4. That copies of this resolution be sent to the President of the United States, the Attorney General of the United States, to the United States Senators from the State of Alabama, and to each member of Congress from the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Roberts, the Rules were suspended and the Resolution, H. J. R. 161, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Casey et al:

H. 24. Proposing a constitutional amendment relative to an apportionment of the Senate of the Legislature of Alabama.

The above Bill was read a second time at length as required by the Constitution.

Mr. Brannan, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turnham:

H. 1006. To provide for the establishment and operation of a laboratory for making reliable analyses of raw and processed agricultural products, and materials used in their production, for harmful pesticide residues in order to protect public health and public interests, to aid in developing and expanding markets for those agricultural products, and to protect fish, game, and other wild life, and the users of recreational areas from the effects of harmful pesticide residues; making conditional appropriations from the state treasury to the use of the Department of Agriculture and Industries for such purposes.

Mr. Shelton, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Camp:

H. 701. To amend Section 257 (34) Title 46, Code of Alabama 1940, an act providing regulations governing the qualifications and eligibility of persons to engage in or be admitted to the practice of the healing arts.

By Mr. Vacca:

H. 816. To authorize the State Board of Health to adopt rules and regulations for the purpose of regulating discharge of sewage from watercraft into certain waters of the State of Alabama; to authorize said Board to establish methods of control, including permits; to prescribe a penalty for violation of such rules and regulations; and to provide certain exemptions from regulations.

By Mr. Cates:

H. 1075. To provide for the Public Health; to amend Title 22, Section 95, Code of Alabama 1940, as last amended by Act 170, Acts of Alabama, 1949 Regular Session, Page 197, so as to eliminate the requirement that pre-nuptial certificates required of applicants for a marriage license remain permanently attached to the marriage license.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:

H. 165. To further amend Section 618 of Title 51 of the 1940 Code of Alabama, as last amended by Act No. 769, Acts of Alabama 1953, page 1029, approved September 17, 1953 (Title 51, Section 618, Code of Alabama Recompiled 1958) by increasing the recording privilege tax imposed by said Section 618 and by appropriating annually a part of said tax for the payment of counsel, court reporters and clerks, and other expenses accruing under the provisions of Acts No. 525 and No. 526, Acts of 1963, pages 1129 and 1136, approved September 16, 1963.

By Mr. Blanton:

H. 58. To adopt the Uniform Vendor and Purchaser Risk Act; defining the rights and duties of vendors and purchasers under certain contracts for the purchase and sale of realty.

By Mr. Goodwyn:

H. 221. To make it a felony for a father to fail to comply with terms of a court order requiring him to support his child or children.

By Mr. Fite:

H. 404. To amend Section 1 of Act No. 602, approved September 18, 1957, relating to the salary of the Attorney General.

By Mr. Salter et al:

H. 366. To set the salary of the Assistant Chief Examiner of the Department of Examiners of Public Accounts.

By Mr. Davis:

H. 580. To amend Section 9 of Title 48 of the Code of Alabama of 1940 dealing with the office, meetings, and record of proceedings of Alabama Public Service Commission.

By Mr. Davis:

H. 581. To amend Section 77 of Title 48 of the Code of Alabama of 1940 dealing with the time for deciding cases by the Alabama Public Service Commission.

Mr. Hornsby, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Etheredge:

H. 272. To amend Code of Alabama 1940, Title 28, Sections 64 and 143 relating to deposit of securities.

Mr. Dumas, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rast:

H. 1248. To amend Section 40 of Chapter 3, Title 50, of the Code of Alabama of 1940, relating to the general grant of power to public corporations organized under said Chapter 3 so as to permit the sale and transfer of such corporation's entire system.

By Messrs. Reynolds, Pennington and Baker (Madison):

H. 1221. To further amend Act No. 255, H. 313, approved June 24, 1943, (General Acts of Alabama, 1943, pp. 226-228), entitled "An Act to provide for the disposition and use of the profits, including all tax levied upon the selling prices of all spirituous or vinous liquors, less all cost and expense of collecting said tax, of the Alabama Liquor Stores operated under the Alcoholic Beverage Control Board of Alabama, as amended by Act No. 526, H. 545, approved August 24, 1951, (Acts of Alabama, 1951 pp. 915-918).

Mr. Cooper, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Steagall (with notice and proof):

H. 1270. To regulate the compensation and allowances of regular jurors serving in court in Dale County.

By Messrs. Burns, Nabors and Owens:

H. 1273. To apply only in counties having a population of not less than 96,000 nor more than 116,000 inhabitants according to the 1960 or any subsequent decennial census of the United States; Providing for an Administrative Consultant to the Circuit Clerk of such Counties of Alabama, and to prescribe the qualifications, duties, compensation, and terms of such Administrative Consultants.

By Messrs. Moore, Slate and Brewer:

H. 1283. To amend further Act No. 477, H. 861, Regular Session 1955 entitled "An Act to provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance" (Acts 1955, vol. II, p. 1084).

By Mr. Bevill (with notice and proof):

H. 1079. Relating to counties having populations of not less than 51,000 nor more than 56,000; providing an additional appropriation for the tax collectors of such counties.

By Messrs. Hannah and Boston (with notice and proof):

H. 1004. To amend Section 2 of Act No. 116, S. 7, approved September 15, 1961 (Acts 1961, v. II, p. 2041), an Act relating to Lauderdale County and providing for the appointment and compensation of a Secretary to the county Sheriff, so as to increase the amount of compensation payable.

By Messrs. Merrill, Albea and Nabors:

H. 1267. To apply in all counties in this state having populations of not less than 76,000, and not more than 116,000, according to the latest or any subsequent federal decennial census, and to provide for and authorize the introduction in evidence in any court in Alabama in such counties, when relevant and material, certified copies of hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, clinical, hospital, occupational, disease, injury and disability histories, X-rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as employees of such hospital, forming a part of such hospital records, as to the health, physical and mental condition, state, sickness, disease, mental and physical disorders, damages, duration and character of disabilities, diagnosis, prognosis, progress, operations, incisions, injuries, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicines, treatment and care and charge sheets and the costs, expenses, fees and charges therefor and thereof, as to and of a patient in said hospital, when the custodian of such hospital records certifies and affirms in writing that the same are an exact, full, true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records but they shall not affect their admissibility; and to provide for the cost and the taxing thereof for said copy and certificate and affirmance in writing thereto and the filing of said copy with the clerk or register of the court having jurisdiction of the suit or proceeding, and to provide for subpoena duces tecum therefor.

By Mr. Turner (Limestone) (with notice and proof):

H. 1277. To alter or rearrange the boundary lines of the Town of Elkmont, Limestone County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

By Mr. Owen (with notice and proof):

H. 1090. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

By Messrs. Engel, McDermott and Hogan (with notice and proof):

H. 1069. To amend further Act No. 470, H. 952 of the Regular Session of 1939 (Local Acts 1939, p. 298) which creates and establishes the countywide civil service system in Mobile County.

By Messrs. Rogers and McDermott:

H. 1281. To regulate the commissions payable to the general guardian appointed by the judge of probate in any county having a population of not less than 300,000 nor more than 600,000.

By Mr. McDermott et al:

H. 1282. To apply only in counties in the state having a population of not less than 300,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, designate a voting center in each ward or precinct within the county at which the qualified electors of the ward and precinct may vote, and prescribe the number of voting machines to be maintained at each voting center; to provide election officers for each voting center designated by the county governing body and prescribe the duties of such election officers.

By Mr. Holladay (with notice and proof):

H. 969. To amend Act No. 173, H. 490, Regular Session 1953, an act creating an inferior court in St. Clair County, so as to provide for appointment of a clerk or clerks for the court.

By Mr. Hester (with notice and proof):

H. 1274. To amend and extend the corporation limits of the City of Russellville, Alabama.

By Mr. Adams (with notice and proof):

S. 613. To amend further Act No. 273, S. 292, approved August 7, 1947, (1947 Local Acts, p. 196), as amended and as last amended, which is designated "The Civil Service Act of Dothan."

By Mr. Salter:

H. 1269. To apply only in counties having populations of not less than 17,400 nor more than 17,800; providing for payment of an expense allowance to the superintendent of education of any such county.

By Mr. Vacca et al:

H. 1275. To provide that in all counties having a population of more than 600,000 inhabitants according to the last or any succeeding census, the towns or municipal corporations located therein are prohibited authority to impose any tax which will or can be levied on any transaction or sale of personal property by an itinerant or route salesman outside the police jurisdiction of such town or municipal corporation.

By Mr. Campbell (Jackson) (with notice and proof):

H. 1276. To authorize the establishment of Branch Banks in Jackson County.

By Messrs. Pennintgon, Reynolds and Baker (Madison) (with notice and proof):

H. 1280. To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carr:

H. 1255. To appropriate the sum of \$12,000.00 from any funds in the state treasury not otherwise appropriated to the Division of State Parks, Monuments and Historical Sites for the purpose of paying death benefit claims accruing against said Division from Board of Adjustment awards.

By Mr. Carr:

H. 1254. To amend Section 1 of Act No. 579, page 1262, Acts of Alabama, 1963 Regular Session, Volume 2, entitled "An Act to make appropriations for capital improvements", so as to reallocate and reappropriate certain monies itemized therein.

By Mr. Fite:

H. 1141. To amend further Section 5 of Act No. 298, S. 137, Regular Session 1947, an act providing for licensing persons selling alcoholic liquors.

By Mr. Fite:

H. 1140. To make a supplemental appropriation for the payment of salaries from the Alabama Special Educational Trust Fund.

By Mr. Cooper:

H. 1059. To provide funds for annual scholarships at certain state institutions of higher learning.

By Mr. Bevell:

H. 959. To provide for payment by the State of expenses accrued in several counties in relation to the constitutional amendment election called for Tuesday, August 3, 1965.

By Mr. Stembridge:

H. 929. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

By Mr. Blanton et al:

H. 600. To amend further Code of Alabama, Title 11, Section 98, which prescribes the fees allowed jurors.

By Messrs. Goodwyn and Turner (Crenshaw):

H. 323. To amend Section 1 of Act No. 208, Regular Session 1951 (Acts 1951, p. 470) which relates to deductions to individual income taxpayers and more specifically authorizes, provides for and regulates use of an optional standard deduction in lieu of an itemization of certain specific deductions allowed by law and also the deduction of federal income taxes paid or accrued within the taxable year.

By Messrs. Goodwyn and Turner (Crenshaw):

H. 322. To amend Sections 2 and 12, Act No. 289, Regular Session 1955, to provide for a change in the standard deduction allowed individuals for income tax purposes; and to raise the maximum limit for filing of the short form.

By Messrs. Pierce, Brown (Jefferson), Little and Salter:

H. 307. To provide for the formation and incorporation of non-profit dental service corporations, to prescribe the powers and authority of such corporations, and to provide for regulation thereof.

By Mr. Avery et al:

H. 79. Relating to boards of registrars; further providing for the compensation of members; further amending Act No. 531, S. 101, Regular Session 1947 (General Acts of Alabama 1947, p. 388).

Mr. Smith, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Smith and Downing (with amendment):

H. 722. To provide that each city of the State having a population of 29,000 or more, according to the most recent federal decennial census, shall establish for firemen in its fire department a schedule for work by the week which shall not exceed fifty-six (56) hours per week; and, subject to the exceptions contained in said act, to provide that no fireman in the fire department of the city shall work in excess of fifty-six (56) hours per week; to provide that the act shall not prohibit any fireman in the city from working, or prohibit any city from requiring any fireman to work, in excess of fifty-six (56) hours per week if because of some emergency the public safety or public welfare requires that he work in excess of said time; to provide that the governing body of the city shall have the power to prescribe rules and regulations for determining the existence of any emergency rendering it necessary for a fireman to work at some time other than the time covered by his normal or regular work schedule; and that the governing body may delegate to any officer of the city, including an officer or officers in the fire department, the power to make such determination; to provide that unless the governing body of a city provides otherwise, the chief of the fire department or any officer of the fire department acting for and in place of the chief of the fire department shall have authority to determine the existence of any emergency rendering it necessary for a fireman to work at some time other than the time covered by his normal or regular work schedule; and to provide that the fire department of each city for which a work schedule of fifty-six (56) hours

per week is provided shall be divided into three platoons, with each platoon to be on duty for twenty-four (24) consecutive hours and off duty for forty-eight (48) consecutive hours, provided that any member of a platoon, during his off duty hours, may be ordered or called to duty in case of an emergency.

Mr. Hawkins, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite (with notice and proof):

H. 1278. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Glen Allen, in Marion County, Alabama.

By Mr. Nabors et al:

H. 66. To authorize and regulate savings and loan deposits in two names, and to permit any payment thereof, and any interest and dividends thereon, to either party whether the other be living or dead, and to regulate savings and loan deposits made by any person in trust for another and to permit payment thereof to the person for whom such deposit was made, whether adult or minor, upon the death of the trustee, when no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to, and received by, said savings and loan association.

By Mr. Fite:

H. 1264. Relating to admissibility of evidence in civil actions in the courts of all counties having populations of not less than 20,050 nor more than 21,850, according to the most recent federal decennial census; to require persons taking or having possession of written statements with respect to accidents or injuries relative to which civil actions may be filed in the courts of such counties to furnish copies thereof to the person making such statements and prescribing the effect of failure to furnish copies in accordance with the provisions of this Act.

Mr. Allen, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was severally read a second time and placed on the calendar, to-wit:

By Messrs. Cook, Turner (Crenshaw) and Nettles:

H. 584. To amend further Section 89 of Title 36, Code of Alabama 1940, which regulates the size and weight limits of motor vehicles and loads, so as to regulate further the length of such motor vehicles.

Mr. Mathews, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Drake:

H. 1111. To amend Code of Alabama 1940, Title 55, Section 348, which relates to the seal, powers, authority and duties of the boxing and wrestling commission, so as to authorize such commission to collect a percentage of the gross proceeds from the sale, lease or other exploita-

tion of broadcasting, television and motion picture rights in boxing, sparring or wrestling matches or exhibitions and a percentage of the gross admission charges made to view televised boxing, sparring or wrestling matches or exhibitions, and to provide for the collection of such taxes.

By Mr. Davis:

H. 579. To amend Section 13 of Title 48 of the Code of Alabama of 1940 dealing with the officers and employees of the Alabama Public Service Commission.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Collins (Jefferson), Gilmore, Bailes and Vacca:

H. 234. Relating to offenses against children; to make it unlawful for any man indecently to expose his sexual organs or private parts in the presence or sight of any child under the age of 14; and to fix the punishment therefor.

By Messrs. Collins (Jefferson), Gilmore, Bailes and Vacca:

H. 233. Prescribing further penalties for certain assaults, and assaults and batteries.

By Messrs. Collins (Jefferson), Gilmore, Bailes and Vacca:

H. 232. To make it unlawful to entice children for immoral purposes or for the purpose of committing assaults; and prescribing penalties for violations of the Act.

Mr. Eddins, Chairman of the Standing Committee on Corporations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Callahan, Campbell (Tuscaloosa) and Brown (Tuscaloosa):

H. 1196. To authorize the director of finance to transfer title to certain personal property of the Alabama Civil War Centennial Commission.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Engel et al:

H. 939. To amend Act No. 60, H. 80, 1953 Regular Session (Acts 1953, p. 88) which makes it a misdemeanor for a person to dump, throw, place, or leave garbage, trash, refuse, or other such debris upon the land or property of another under certain conditions, and prescribe punishment therefor.

By Mr. Engel et al:

H. 937. To amend Code of Alabama 1940, Title 14, Section 432 which relates to trespass on lands.

RESOLUTIONS

By Messrs. Roberts, Adams, Allen, Bentley, Brannan, Carter, Clark, Cooper, Dumas, Eddins, Evans, Gilchrist, Givhan, Hammond, Hawkins, Hornsby, Horton, James, Lolley, Lowe, Mathews, McCain, McDow, Metcalf, Montgomery, Nichols, Oden, Reynolds, Robison (Montgomery), Robison (Pickens), Shelton, Smith, Taylor, Tyson, Wilson:

offered the following Senate Resolution, to-wit:

S. R. 63. WHEREAS Lieutenant Governor James B. Allen as presiding officer of the Senate of Alabama has performed the duties of his office with unswerving dedication and distinguished ability; and

WHEREAS Jim Allen is the only man who has ever been twice elected to the office of Lieutenant Governor of Alabama, an honor which attests to the respect and trust he richly deserves and enjoys among the citizens of the State. A native of Gadsden, a graduate of the University of Alabama Law School, and a practicing attorney since his admittance to the bar in 1935, he has served two terms as Representative from Etowah County and one term as Senator from Etowah and St. Clair Counties. His career as a public servant has been distinguished by his honesty and integrity, his insight and efficiency, and his sound, impartial judgment. His perseverance and devotion to duty have been of inestimable value and benefit to the State of Alabama; now therefore

BE IT RESOLVED BY THE SENATE That we warmly commend Lieutenant Governor Allen for the outstanding leadership and guidance he has provided during the 1965 Special and Regular Sessions of the Legislature. His diligence in applying his wisdom, ability, and experience in the performance of his duties as presiding officer of the Senate has contributed tremendously to furthering the business of the Senate and the interest of the State, and we appreciate the valuable services he has rendered to this body and to the State of Alabama.

On motion of Mr. Roberts, the Rules were suspended and the Resolution was unanimously adopted by the Senate.

MOTION TO RECONSIDER

The Senate proceeded to consideration of the motion by Mr. Dumas that the Senate reconsider the vote by which it passed the Bill:

H. 836. To amend Act No. 268 (H. 93), of the 1963 Regular Session, approved August 23, 1963, which relates to regulation of salaries payable to certain state officers and employees in state service.

as amended, on the Thirty-Fourth Legislative Day.

On motion of Mr. Clark, the motion to reconsider was laid on the table.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 122. To create a joint legislative advisory and study committee to investigate the feasibility of constructing a toll bridge connecting Dauphin Island and Fort Morgan, making possible a scenic coastal highway in Alabama.

And said Resolution was then concurred in and adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 102. A concurrent resolution petitioning the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

And said Resolution was then concurred in and adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 915. To amend Sections 10(10), 10(11), 10(13), Title 45, Chapter 1B, Code of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Carter	Hawkins	McDow	Robison (Pickens)
Clark	Hornsby	Montgomery	Taylor
Dumas	Horton		
			—21

Nays:

—0

The Bill:

H. 916. To amend Section 31 of Title 23, Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Carter	Hawkins	McDow	Robison (Pickens)
Clark	Hornsby	Montgomery	Taylor
Dumas	Horton		
			—21

Nays:

—0

The Bill:

H. 917. To amend Act No. 202 of the 1953 Regular Session of the Legislature of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Carter	Hawkins	McDow	Robison (Pickens)
Clark	Hornsby	Montgomery	Taylor
Dumas	Horton		

—21

Nays:

—0

The Bill:

H. 653. To eradicate, control and prevent the spread of diseases of honeybees by requiring the registration of apiaries with the Commissioner of Agriculture and Industries, prescribing the registration fee and regulating the movement or shipment of honeybees, apiary equipment and supplies into and within the State of Alabama; to provide for apiary inspections, quarantines and the destruction and abatement of diseased bees, apiary equipment and supplies; to prescribe the powers and duties of the Commissioner of Agriculture and Industries for the administration and enforcement of this Act; to authorize the adoption of rules and regulations; to prescribe a penalty for violations; to repeal Act No. 735, Legislature of 1953, approved September 17, 1953.

Was read a third time at length and passed.

Yeas 20; Nays 0

Yeas:

Messrs.:	Dumas	Hornsby	Montgomery
Adams	Eddins	Horton	Reynolds
Bentley	Evans	James	Robison (Pickens)
Brannan	Givhan	Lowe	Smith
Carter	Hawkins	McCain	Taylor
Cooper			

—20

Nays:

—0

The Bill:

H. 312. To amend further Code of Alabama 1940, Title 41, Section 154, which relates to the limitation of per diem expenses allowed state employees traveling on official business.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 312:

Amended Section 154, Title 41, Alabama Code of 1940, as set forth in said bill is hereby further amended by striking the period and closing quotation mark at the end thereof and adding at the end thereof and as a part of amended Section 154 of Title 41 the following:

; provided further that, in the case of any state employee required as a condition of his employment to own and have with him an automobile at his place of employment for use by him in traveling on the business of his state employment, such employee shall be paid a minimum of sixty dollars per month regardless of the mileage traveled in said automobile on such state business plus an allowance of ten cents per mile actually traveled in excess of six hundred (600) miles per month, in lieu of actual expense of transportation."

On motion of Mr. Dumas, said amendment was laid on the table.

And said Bill, H. B. 312, was then read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	James	Robison (Montgomery)
Adams	Evans	Lowe	Robison (Pickens)
Bentley	Givhan	Mathews	Shelton
Brannan	Hammond	McCain	Smith
Carter	Hawkins	McDow	Taylor
Cooper	Hornsby	Montgomery	Wilson
Dumas	Horton	Reynolds	—26

Nays: —0

The Bill:

H. 355. To revise and amend Section 74 (46) of Title 36 of the Code of Alabama, 1940, all of which relates to security required, suspension of licenses and registrations under the Motor Vehicle Safety-Responsibility Act.

was taken up.

Mr. Hawkins offered the following amendment to the Bill, to-wit:
Amendment to H. B. 355:

Amend H. B. 355 by adding after the words "Section 74 (46)" where they appear the words "Title 36".

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	James	Robison (Montgomery)
Adams	Evans	Lowe	Robison (Pickens)
Bentley	Givhan	Mathews	Shelton
Brannan	Hammond	McCain	Smith
Carter	Hawkins	McDow	Taylor
Cooper	Hornsby	Montgomery	Wilson
Dumas	Horton	Reynolds	—26

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	James	Robison (Montgomery)
Adams	Evans	Lowe	Robison (Pickens)
Bentley	Givhan	Mathews	Shelton
Brannan	Hammond	McCain	Smith
Carter	Hawkins	McDow	Taylor
Cooper	Hornsby	Montgomery	Wilson
Dumas	Horton	Reynolds	—26

Nays: —0

The Bill:

H. 356. To revise and amend Section 74 (56) of Title 36 of the Code of Alabama, 1940, all of which relates to payments sufficient to satisfy requirements under the Motor Vehicle Safety-Responsibility Act. was taken up.

Mr. Hawkins offered the following amendment to the Bill, to-wit:

Amendment to H. B. 356:

Amend H. B. 356 by adding after the words "Section 74(56)" the words "Title 36".

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Smith
Carter	Hornsby	Montgomery	Taylor
Clark	Horton	Nichols	Wilson
Cooper	James	Reynolds	—26

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Smith
Carter	Hornsby	Montgomery	Taylor
Clark	Horton	Nichols	Wilson
Cooper	James	Reynolds	—26

Nays: —0

The Bill:

H. 52. To amend Section 1, Act No. 817, H. 298, Regular Session 1961, relating to supernumerary court reporters.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL NO. 52:

Amend House Bill No. 52 striking therefrom Section 1, Paragraph (c), and inserting in lieu thereof Paragraph (c) which shall read as follows:

"Who has served in any circuit court of Alabama for not less than twenty-four years,"

Which was adopted.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Cooper	Horton	Reynolds	
Adams	Eddins	James	Robison (Pickens)	
Bentley	Evans	Lolley	Smith	
Brannan	Givhan	Lowe	Taylor	
Carter	Hawkins	McCain	Wilson	
Clark	Hornsby	Montgomery		—22

Nay: Mr. Shelton —1

And said Bill, H. B. 52, as thus amended, was then read a third time at length and passed.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Cooper	Horton	Reynolds	
Adams	Eddins	James	Robison (Pickens)	
Bentley	Evans	Lolley	Smith	
Brannan	Givhan	Lowe	Taylor	
Carter	Hawkins	McCain	Wilson	
Clark	Hornsby	Montgomery		—22

Nay: Mr. Shelton —1

The Bill:

H. 902. To amend Section 521 of Title 37 of the Code of Alabama of 1940 so as to provide that a municipality need not advertise for bids from contractors, pursuant to the requirements of that section, with respect to construction to be performed, or labor, materials and services, or any of them, to be furnished, by the State of Alabama pursuant to contract between the said municipality and the state.

Was read a third time at length and passed.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Eddins	James	Reynolds	
Bentley	Evans	Lolley	Roberts	
Brannan	Givhan	Lowe	Robison (Montgomery)	
Carter	Hawkins	McCain	Robison (Pickens)	
Clark	Hornsby	McDow	Smith	
Cooper	Horton	Montgomery		—22

Nay: Mr. Dumas —1

The Bill:

H. 328. To amend Section 1 (j), Act No. 100, Second Special Session Legislature of 1959, so as to make the sale of tangible personal property to undertakers and morticians a sale at retail.

was taken up.

Mr. Reynolds offered the following substitute for the Bill, to-wit:

Substitute for H. B. 328:

A BILL
TO BE ENTITLED
AN ACT

TO AMEND SECTION 1(j), ACT NO. 100, SECOND SPECIAL SESSION LEGISLATURE OF 1959, SO AS TO MAKE THE SALE OF TANGIBLE PERSONAL PROPERTY TO UNDERTAKERS AND MORTICIANS A SALE AT RETAIL.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1(j), Act No. 100, Second Special Session Legislature of 1959, is hereby amended to read as follows:

Section 1(j). The term "sale at retail" or "retail sale" shall mean all sales of tangible personal property except those above defined as wholesale sales. The quantities of goods sold, or prices at which sold, are immaterial in determining whether or not a sale is at retail. Sales of building materials to contractors, builders, or landowners for resale or use in the form of real estate are retail sales in whatever quantity sold. Sales of tangible personal property to undertakers and morticians are retail sales and subject to the tax at the time of purchase, (but are not subject to the tax on resale to the consumer.) Sales of tangible personal property or products to manufacturers, quarry operators, mine operators, or compounders, which are used or consumed by them in manufacturing, mining, quarry or compounding and do not become in ingredient or component part of the tangible personal property manufactured or compounded are retail sales. The term "sale at retail" or "retail sale" shall also mean and include the withdrawal, use or consumption of any tangible personal property by anyone who purchases same at wholesale, except property which has been previously withdrawn from the business or stock and so used or consumed and with respect to which property the tax has been paid because of such previous withdrawal, use or consumption, and except property which enters into and becomes an ingredient or component part of tangible personal property or products manufactured or compounded for sale and not for the personal and private use or consumption of any person so withdrawing, using or consuming the same, and such wholesale purchaser shall report and pay the taxes thereon.

Section 2. This Act shall become effective on the first day of the month next following the month of its passage and approval or otherwise becoming a law.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dumas	James	Reynolds
Adams	Eddins	Lowe	Robison (Montgomery)
Bentley	Evans	McCain	Robison (Pickens)
Brannan	Givhan	McDow	Smith
Carter	Hawkins	Montgomery	Wilson
Cooper	Hornsby	Nichols	

—22

Nays:

—0

And said Bill, H. B. 328, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dumas	James	Reynolds
Adams	Eddins	Lowe	Robison (Montgomery)
Bentley	Evans	McCain	Robison (Pickens)
Brannan	Givhan	McDow	Smith
Carter	Hawkins	Montgomery	Wilson
Cooper	Hornsby	Nichols	—22

Nays: —0

The Bill:

H. 729. To amend Section 787 (e), as amended, Title 51, Code of Alabama 1940, so as to make the sale of tangible personal property to undertakers and morticians a sale at retail.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Roberts
Bentley	Evans	McCain	Robison (Pickens)
Brannan	Givhan	McDow	Smith
Carter	Hornsby	Montgomery	Taylor
Clark	Horton	Nichols	Wilson
Cooper	James		—25

Nays: —0

The Bill:

H. 222. To repeal Section 676, Title 51, Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Robison (Montgomery)
Adams	Eddins	Lowe	Robison (Pickens)
Bentley	Evans	McCain	Shelton
Brannan	Hawkins	McDow	Smith
Carter	Hornsby	Montgomery	Taylor
Clark	Horton	Nichols	Wilson
Cooper	James	Reynolds	—26

Nays: —0

The Bill:

H. 1160. Relating to certain municipal corporations; amending Section 21 of Title 37, Code of Alabama, 1940, in relation to the forfeiture of charter; causes of forfeiture, by certain municipalities.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Lowe	Robison (Pickens)	
Adams	Eddins	McCain	Shelton	
Bentley	Evans	Montgomery	Smith	
Brannan	Givhan	Nichols	Taylor	
Carter	James	Reynolds	Wilson	
Clark	Lolley	Robison (Montgomery)		—22

Nays:

—0

The Bill:

H. 125. To amend Sections 9, 14 and 16 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as amended (relating to gas districts), so as to provide that a gas district organized under the provisions of said act, as amended, may issue refunding bonds (whether or not the bonds to be refunded are then subject to redemption) in principal amount not exceeding the principal amount of the bonds to be refunded plus any premium necessary to redeem or retire any such bonds, any interest (accrued or to accrue) on such bonds to the date of redemption or retirement thereof and any expenses estimated to be incurred in connection with such refunding, so as to provide that any such refunding bonds may be issued by sale or exchange or any combination thereof, so as to authorize any such district to issue bonds for the combined purpose of so refunding any of its bonds and of acquiring, constructing, providing, improving or extending any gas system or systems, so as to specify with more particularity the purposes for which the proceeds from any such refunding bonds shall be used and so as to exempt gas districts more fully from taxation.

Was read a third time at length and passed.

Yeas 15; Nays 7.

Yeas:

Messrs.:	Eddins	Hornsby	Reynolds	
Bentley	Evans	Horton	Robison (Pickens)	
Brannan	Givhan	Lolley	Taylor	
Carter	Hammond	Montgomery	Wilson	
				—15

Nays:

Messrs.:	Clark	Lowe	Shelton	
Adams	Cooper	McCain	Smith	
				—7

The Bill:

H. 170. To amend Sections 10 and 14 of Act No. 576, Acts of Alabama 1959, approved November 19, 1959, entitled "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveryes; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting

rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act", as amended by Act No. 878, Acts of Alabama 1961, Regular Session, approved September 8, 1961.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Reynolds
Adams	Eddins	James	Roberts
Bentley	Evans	Lolley	Robison (Montgomery)
Brannan	Givhan	Lowe	Robison (Pickens)
Carter	Hammond	McCain	Smith
Clark	Hawkins	McDow	Taylor
Cooper	Hornsby	Montgomery	Wilson

—27

Nays:

—0

The Bill:

H. 438. To make an appropriation from the state treasury for the relief of Wilburn Frank Wesson.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Horton	Roberts
Adams	Dumas	James	Robison (Montgomery)
Bentley	Eddins	Lowe	Robison (Pickens)
Brannan	Evans	Mathews	Smith
Carter	Givhan	McDow	Wilson
Clark	Hawkins	Reynolds	

—22

Nays:

—0

The Bill:

H. 218. To provide for exclusion of certain municipal privilege licenses in the computation of the state lodgings tax levied and imposed by Act No. 248, Regular Session 1955, as amended.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	James	Roberts
Adams	Eddins	Lolley	Robison (Montgomery)
Bentley	Evans	Lowe	Robison (Pickens)
Brannan	Givhan	Mathews	Shelton
Carter	Hammond	McCain	Smith
Clark	Hawkins	Montgomery	Taylor
Cooper	Horton	Reynolds	

—26

Nays:

—0

The Bill:

H. 572. To amend further Code of Alabama 1940, Title 51, Section 787, which relates to definitions used in the state use tax law, so as to re-define the terms "wholesale sale" or "sale at wholesale."

Was read a third time at length and passed.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Eddins	James	Robison (Montgomery)	
Adams	Evans	Lolley	Robison (Pickens)	
Bentley	Givhan	Lowe	Shelton	
Brannan	Hawkins	McDow	Smith	
Clark	Hornsby	Montgomery	Taylor	
Cooper	Horton	Roberts		—22

Nay: Mr. McCain —1

The Bill:

H. 571. To amend further Section 1, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to further define the terms "sale at wholesale" and "wholesale sale."

Was read a third time at length and passed.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Eddins	James	Robison (Montgomery)	
Adams	Evans	Lolley	Robison (Pickens)	
Bentley	Givhan	Lowe	Shelton	
Brannan	Hawkins	McDow	Smith	
Clark	Hornsby	Montgomery	Taylor	
Cooper	Horton	Roberts		—22

Nay: Mr. McCain —1

The Bill:

H. 728. Relating to crimes and offenses: To make it a crime to avoid or attempt to avoid, with intent to defraud, payment or billing of lawful charge for telecommunication service, or knowingly, with intent to avoid payment or billing of such lawful charge, to conceal or attempt to conceal existence, place of origin or destination or sender, addressee or receiver of message, signal or communication by or over facilities of telecommunication from supplier of such service, or to use, attach or cause to be attached prohibited instrument, or to in any manner manipulate, tamper or interfere to or with communication line, channel, device or facility of supplier of telephone, telegraph or telecommunication service, or to make, manufacture, possess, use, employ, transport, purchase, transfer, sell, offer or advertise to sell, prohibited instrument; to define term prohibited instrument; to establish rules of evidence in connection therewith; to prescribe penalties therefor; to provide for the search, seizure and destruction of prohibited instruments; to repeal Act No. 420, Acts of Alabama, Regular Session 1959, approved November 13, 1959, and all other conflicting laws.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Eddins	James	Roberts
Adams	Evans	Lolley	Robison (Montgomery)
Bentley	Gilchrist	Lowe	Robison (Pickens)
Brannan	Givhan	Mathews	Shelton
Carter	Hammond	McCain	Smith
Clark	Hawkins	McDow	Taylor
Cooper	Hornsby	Montgomery	Wilson
Dumas	Horton	Reynolds	

—30

Nays:

—0

The Bill:

H. 664. Relating to elections; authorizing and providing for absentee voting by seamen, sailors, and mariners.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Robison (Pickens)
Brannan	Givhan	McCain	Shelton
Clark	Hawkins	McDow	Smith
Cooper	Hornsby	Montgomery	

—22

Nays:

—0

The Bill:

H. 931. To amend Section 1 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, linen rental processing and storage facilities and so as to restore certain portions of said Section 1 inadvertently omitted therefrom by the most recent amendment thereof (Act No. 164 enacted at the 1964 Special Session), to restore certain other changes omitted by said amendment and to correct certain technical errors made by said amendment.

was taken up.

Mr. Roberts offered the following amendment to the Bill, to-wit:

Amendment to H. B. 931:

Amend House Bill No. 931 by inserting, immediately following the word "and" and immediately preceding the words "any facility for the processing and storage of linens," the following:

"without limiting the generality of the foregoing,"

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	McDow
Bentley	Eddins	James	Reynolds
Brannan	Evans	Lowe	Roberts
Carter	Givhan	Mathews	Robison (Montgomery)
Clark	Hawkins	McCain	Robison (Pickens)
Cooper			

—20

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	McDow
Bentley	Eddins	James	Reynolds
Brannan	Evans	Lowe	Roberts
Carter	Givhan	Mathews	Robison (Montgomery)
Clark	Hawkins	McCain	Robison (Pickens)
Cooper			—20

Nays:

—0

The Bill:

H. 586. To provide for the establishment, regulation of, and an appropriation for the financing of a scholarship-loan and awards program for the study of dentistry; repealing Section 509 (13) of Title 52 of the Code of Alabama 1940, as recompiled, and all laws conflicting therewith.

Was read a third time at length and passed.

Yeas 22; Nay 1.

Yeas:

Messrs.:	Dumas	Horton	Nichols
Adams	Eddins	James	Robison (Montgomery)
Bentley	Evans	Lolley	Robison (Pickens)
Brannan	Gilchrist	Lowe	Smith
Carter	Givhan	McCain	Taylor
Clark	Hawkins	McDow	Wilson
Cooper	Hornsby	Montgomery	—26

Nay: Mr. Shelton

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses, on the Senate Amendment to the bill, H. 144. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON H. B. 144

We, your committee on conference appointed to reconcile the disagreement between the two Houses concerning H. B. 144, have met and considered the bill and the Senate's amendment thereto and have agreed to the following report:

1. We recommend that the Senate recede from its amendment to the bill.
2. We recommend further that the Senate agree to the bill as passed by the House.

Respectfully submitted,

Conferees on the part of the House

Mylan R. Engel

Sam Nettles

Holt Rast

Conferees on the part of the Senate

E. O. Eddins

Bob Gilchrist

The vote being: Yeas 59; Nays 10.

And said bill:

H. 144. To make a conditional appropriation from the Alabama special educational trust fund for the reconstruction of the John Essex School, in Marengo County, and for replacement of equipment destroyed by fire.

together with the Report of the Committee of Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Gichrist, the Senate concurred in and adopted the report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 144, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 24; Nays 5.

Yeas:

Messrs.:	Gilchrist	James	Reynolds
Adams	Givhan	Lolley	Robison (Montgomery)
Allen	Hammond	Lowe	Robison (Pickens)
Brannan	Hawkins	Mathews	Smith
Cooper	Hornsby	Montgomery	Taylor
Eddins	Horton	Oden	Wilson
Evans			

—24

Nays:

Messrs.:	Carter	McDow	Shelton
Bentley	McCain		

—5

Report of the Committee To Select an Official Seal for the Senate of Alabama

Your committee, appointed pursuant to S. R. #9 so select an official Seal for the Senate of Alabama, begs leave to make the following report:

That the Seal, attached to this report and made a part hereof by reference, be received and adopted by the Senate of Alabama as this body's official Seal.

Respectfully submitted,

John M. Tyson
Chairman

Vaughan Hill Robison
Member

Bill Nichols
Member

Exofficio

James B. Allen
Lieutenant Governor

McDowell Lee
Secretary of Senate



SELECT COMMITTEE REPORT

On motion of Mr. Robison (Montgomery), the foregoing report of the Committee to Select an Official Seal for the Senate of Alabama was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 836. To amend Act No. 268 (H. 93), of the 1963 Regular Session, approved August 23, 1963, which relates to regulation of salaries payable to certain state officers and employees in state service.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. Nettles, Goodwyn and Engel.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison (Montgomery), the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 836, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Cooper, Robison (Montgomery) and Dumas.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 543. To apply in counties having populations of not less than 25,400 nor more than 25,675 fixing the compensation of the clerk of the register and providing for payment thereof.

Also:

S. 574. To alter and rearrange the boundaries and corporate limits of the Town of Glencoe, Alabama, so as to exclude and detach therefrom certain territory presently included in the corporate limits.

Also:

S. 575. To alter and rearrange the boundaries between the town of Glencoe and the city of Gadsden so as to detach certain territory from the town of Glencoe and annex the same to the city of Gadsden.

Also:

S. 590. Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

Also:

S. 592. To alter, rearrange and extend the boundaries and corporate limits of the town of Ethelsville in Pickens County.

Also:

S. 593. Relating to the construction, maintenance and repair of the county roads and bridges of Colbert County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county, and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of all funds, including Colbert County's proportionate share of the state gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; repealing conflicting laws.

Also:

S. 594. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having a population of not less than 96,000 nor more than 106,000.

Also:

S. 599. Relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Also:

S. 600. To amend Act No. 379, H. 866 of the Regular Session of 1963, which relates to counties having populations of not less than 50,000 nor more than 54,000 and provides further for designation and alteration of election precincts and districts, voting places and voting centers therein and the conduct of elections: amending the Title and Sections 1, 2, 3, 4, and 9 of such act.

Also:

S. 581. For the relief of MRS. EMMA J. BRAY authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by MRS. BRAY on the Courthouse premises.

Also:

S. 119. To amend Section 13 of Act No. 252 of the 1955 Regular Session of the Legislature of Alabama, Approved August 18, 1955.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 328. To amend Section 1 (j), Act No. 100, Second Special Session Legislature of 1959, so as to make the sale of tangible personal property to undertakers and morticians a sale at retail.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 52. To amend Section 1, Act No. 817, H. 298, Regular Session 1961, relating to supernumerary court reporters.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1001. To provide that in all counties having a population of more than 600,000 inhabitants according to the last or any succeeding census, it shall be unlawful for any person to file for record certain legal documents that do not have legibly printed, typewritten or stamped thereon the name and address of the person or persons who prepared such legal documents, and to provide that it shall be a misdemeanor for anyone to falsify said statement; and

To further provide that in all such counties, the judge of probate shall not be liable in damages or penalty for any error or mistake in the performance of the duties prescribed by this Act if committed in good faith.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 132. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction,

powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Act 1947, p. 379) as amended.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 356. To revise and amend Section 74 (56) of Title 36 of the Code of Alabama, 1940, all of which relates to payments sufficient to satisfy requirements under the Motor Vehicle Safety-Responsibility Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

By Messrs. Turnham and Crawford:

H. 355. To revise and amend Section 74 (46) of Title 36 of the Code of Alabama, 1940, all of which relates to security required, suspension of licenses and registrations under the Motor Vehicle Safety-Responsibility Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1120. To amend and extend the corporation limits of the City of Russellville, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Bassett:

H. J. R. 170. WHEREAS, Pike County and Alabama have suffered a grievous loss in the death of Mrs. Pearl Ramage Reeves of Troy on July 16, 1965; and

WHEREAS, Mrs. Reeves served with distinction as Sheriff of Pike County from 1942 to 1946, was the widow of Sam Reeves who served four terms as Sheriff of Pike County; and was the mother of the late Burr Reeves who was Sheriff of Pike County and Warden of Draper Prison, Ben Reeves who served four terms as Sheriff and is now Judge of Probate of Pike County, Samford Reeves and the Reverend Sam Reeves; and

WHEREAS, the sterling character of Mrs. Reeves, coupled with her superb record of Christian endeavor and humanitarian activities, endeared her to the hearts of all who knew her;

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That we note with profound regret the passing of Mrs. Reeves and pay this tribute to her memory. We mourn her death and, collectively and individually, extend our sincere sympathy to her family.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, H. J. R. 170, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 350, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 350, with a suggested executive amendment.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 10, 1965

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 350, without my signature and approval, and with a suggested executive amendment.

I would suggest that said House Bill 350 be amended by adding at the end of Section 1 thereof, the following:

"And the size of hoop nets or barrel nets shall not be smaller than one and one quarter inches from knot to knot."

The above suggested executive amendment has the full knowledge and approval of the author of the bill, and, if adopted, will remove my objection to said House Bill 350.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 350, by a vote of Yeas 55, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 350. Further regulating commercial fishing in public waters in Cherokee County, so as to prescribe limitations relating to the fishing gear to be used by licensed commercial fishermen.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 57, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Hammond, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 350, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Hammond	McCain	Smith
Carter	Hornsby	McDow	Taylor
Clark	Horton	Nichols	Wilson
Cooper	James		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 167. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, H. B. 312, which has passed both houses be designated and known as "The Goodwyn, Turnham, Bevill, Pierce, Little, Turner (Crenshaw) and Powell Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Rules were suspended and the Resolution, H. J. R. 167, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Locke, Bowers, Brown (Jefferson), Gilmore, Hawkins, McCorquodale, Cates, Carr, Bethea (B), Perry, Sessions, Vacca, Morrow, Bethea (M) and Meeks.

H. J. R. 166. WHEREAS, the Alabama Legislature during its Regular Session of 1965 has become conscious that some of the rivers and streams of which Alabama is truly blessed have become polluted and are in need of action to mitigate the pollution.

WHEREAS, during examination of this problem it was revealed that the Federal Government is one of six major polluters of the streams and rivers of Alabama, not only waste from Federal installations but also from a commercial fertilizer plant operated in conjunction with the Tennessee Valley Authority.

WHEREAS, the Federal Government has unlimited money to spend around the world, it consequently would seem that money in amount necessary for correction would be no obstacle to abating the pollution by the Federal Government. Certainly not to the extent that it would on municipalities and private industry, and

WHEREAS, we have heard pronouncements that if the States did not take action in this field the Federal Government through the bill of Senator Muskie would; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE OF ALABAMA CONCURRING That the Alabama Legislature expresses its concern over all pollution, but does suggest that before the Federal Government threatens action or takes action against municipalities, private industry or states that the Federal Government should take steps to cease pollution of streams and rivers at Federal reservations and that appropriate steps be taken particularly at commercial enterprises of the Federal Government to terminate stream pollution.

The Alabama Legislature suggests that it would be more appropriate to take corrective action at Federal Institutions rather than mere preachments edicts or statutes demanding private industry, municipalities and states to correct local problems. Show us by example don't chide or threatened us.

BE IT FURTHER RESOLVED That a copy of the foregoing be sent to all Congressmen, The President and The Secretary of Interior together with a request that the State be informed of action proposed by the Federal Government to correct Federal pollution of Alabama streams and rivers.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 166, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Albea, Avery, Bailes, Baker (DeKalb), Baker (Madison), Barnett, Bassett, Bethea (B), Bethea (M), Beville, Blanton, Bolton, Boston, Bowers, Branyon, Brewer, Brown (Jefferson), Brown (Tuscaloosa), Burnham, Burns, Callahan, Camp, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Carr, Casey, Cates, Collins (Jefferson), Collins (Mobile), Cook, Cooper, Cornett, Crawford, Daniel, Davis, Doggett, Dominick, Downing, Drake, Edington, Edwards (Escambia), Edwards (Lowndes), Engel, Etheredge, Faulk, Fite, Gilmore, Glass, Goldthwaite, Goodwyn, Grouby, Hain, Hankins, Hannah, Harper, Hawkins, Heflin, Hester, Hogan, Holladay, Ingram, Jones (Covington), Jones (Monroe), Little, Locke, McCorquodale, McDermott, Meade, Meeks, Merrill, Moore, Morrow, Nabors, NeSmith, Nettles, Owen, Owens, Paulk, Pennington, Perry, Pierce, Posey, Powell, Pruitt, Rast, Reynolds, Rogers, Salter, Scurlock, Sessions, Slate, Smith, Snell, Steagall, Stembridge, Sullivan, Teel, Thomas, Tuck, Turner (Crenshaw), Turner (Limestone), Vacca, Wood and Young:

H. J. R. 168. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we hereby express our appreciation to the staff of the Legislative Reference Service for the commendable contributions they have made toward the expeditious transaction of legislative business during the 1965 regular and special sessions of the Legislature, and we congratulate them on their prompt and efficient service.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Rules were suspended and the Resolution, H. J. R. 168, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Albea, Avery, Bailes, Baker (DeKalb), Baker (Madison), Barnett, Bassett, Bethea (B), Bethea (M), Beville, Blanton, Bolton, Boston, Bowers, Branyon, Brewer, Brown (Jefferson), Brown (Tuscaloosa), Burnham, Burns, Callahan, Camp, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Carr, Casey, Cates, Collins (Jefferson), Collins (Mobile), Cook, Cooper, Cornett, Crawford, Daniel, Davis, Doggett, Dominick, Downing, Drake, Edington, Edwards (Escambia), Edwards (Lowndes), Engel, Etheredge, Faulk, Fite, Gilmore, Glass, Goldthwaite, Goodwyn, Grouby, Hain, Hankins, Hannah, Harper, Hawkins, Heflin, Hester, Hogan, Holladay, Ingram, Jones (Covington), Jones (Monroe), Little, Locke, McCorquodale, McDermott, Meade, Meeks, Merrill, Moore, Morrow, Nabors, NeSmith, Nettles, Owen, Owens, Paulk, Pennington, Perry, Pierce, Posey, Powell, Pruitt, Rast, Reynolds, Rogers, Salter, Scurlock,

Sessions, Slate, Smith, Snell, Steagall, Stenbridge, Sullivan, Teel, Thomas, Tuck, Turner (Crenshaw), Turner (Limestone), Vacca, Wood and Young:

H. J. R. 169. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members of this body wish to express their grateful appreciation to the telephone operators, clerks, secretaries, doorkeepers, and all others who have provided aid and assistance to us, for their efficient services and helpful cooperation during the current session of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Rules were suspended and the Resolution, H. J. R. 169, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 162. WHEREAS, a strong state and nation are built on the vision, initiative, integrity and industry of the citizens; and

WHEREAS, the citizens of our State and Nation are the products of our homes; and

WHEREAS, the quality of our homes, influences the quality of our citizens; and

WHEREAS, the youth organization, Future Homemakers of America, has as its goal the improvement of home and family living; and

WHEREAS, the FHA Members are learning to be homemakers and leaders for better homes and communities for now and the future; and

WHEREAS, Miss Carol Poole, a student in the Beauregard High School in Lee County is President of the Alabama State Association of Future Homemakers of America and is providing outstanding leadership for the more than 32,000 high school students in Home Economics; and

WHEREAS, the contribution of FHA to the future strength and progress of this country is widely recognized.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we applaud the Future Home makers of America for their excellent work and commend the Home Economics Service of the State Department of Education for their leadership in sponsoring this organization and for instilling in its youthful members high ideals of personal home and community living.

BE IT FURTHER RESOLVED that we congratulate Miss Carol Poole on her election as President of the Alabama Association, Future Homemakers of America and commend her for her superior leadership in accomplishing purposes of the organization and in carrying out the

responsibilities of this high office. We appreciate her concern for and contribution to the development of a strong state and nation through the betterment of homes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Rules were suspended and the Resolution, H. J. R. 162, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Owen:

H. J. R. 165. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the administration building of the Bay Minette Junior College shall be designated and shall be known as "The George C. Wallace Building," as a tribute to the long and continued efforts and outstanding achievements of Governor George C. Wallace in the promotion of education.

BE IT FURTHER RESOLVED, That the Alabama Trade School and Junior College Authority and the State Board of Education are hereby authorized and directed to cause suitable and appropriate words to be inscribed thereon or affixed thereto so designating the administration building of the Bay Minette Junior College as "The George C. Wallace Building."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brannan, the Rules were suspended and the Resolution, H. J. R. 165, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 512, with a suggested executive amendment.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 19, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 512, without my signature and approval, and with a suggested executive amendment.

I would suggest that you amend Senate Bill 512 by striking therefrom Section 3 in its entirety and substituting in lieu thereof, Section 3 to read as follows:

"Section 3. This Act shall become effective at the expiration of the term of office of the incumbent judge and solicitor of the inferior court of any county to which the Act is applicable and shall terminate and expire on the same date of the fourth year next thereafter following."

The said suggested executive amendment has the full knowledge and consent of the author of the bill and, if adopted, will remove my objection to said Senate Bill 512.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Reynolds, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 512. To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 26,000 nor more than 27,000, according to the most recent federal decennial census.

which said amendment is set out at length in the foregoing Message from the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Allen	Evans	Lowe	Robison (Pickens)
Brannan	Givhan	McCain	Shelton
Carter	Hawkins	McDow	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Wilson
Dumas	James		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered and has amended as therein shown and as amended has again passed the following Senate Bill and returns same herewith to the Senate:

S. 277. To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 277, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 277:

In Section 1, strike out the figures \$1,400 and insert the figures \$600.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McCain	Roberts
Adams	Gilchrist	McDow	Robison (Pickens)
Allen	Givhan	Montgomery	Shelton
Bentley	Hawkins	Nichols	Smith
Brannan	Horton	Oden	Taylor
Cooper	Lolley	Reynolds	Wilson
Dumas	Mathews		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered and has amended as therein shown and as amended has again passed the following Senate Bill, and returns same herewith to the Senate:

S. 291. To provide further for the payment and retirement of certain claims against the fine and forfeiture funds of counties having populations of not less than 51,000 nor more than 55,000 according to the most recent federal decennial census, providing for the payment and retirement of witness' fees in certain criminal cases out of the general funds of such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 291, the title of which is set out in the foregoing Message from the House, to-wit:

Substitute for S. B. 291:

A BILL
TO BE ENTITLED
AN ACT

To provide further for the payment and retirement of certain claims against the fine and forfeiture funds of counties having populations of not less than 51,000 nor more than 55,000 according to the most recent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in all counties in this state having populations of not less than 51,000 nor more than 55,000 according to the most recent federal decennial census.

Section 2. After this Act becomes effective the total amount in the fine and forfeiture fund of any county to which this Act applies shall be used exclusively to retire the claims of officers and witnesses heretofore lawfully registered against such fund, until all such claims which were registered prior to the effective date of this Act and which were held and outstanding on such date are paid. All such claims maturing after the effective date of this Act shall be paid out of the fine and forfeiture fund of the county in the manner prescribed by law.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws, general or local, in conflict herewith are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hammond	Montgomery	Shelton
Clark	Hornsby	Nichols	Smith
Cooper	James	Oden	Wilson
Eddins	Lolley		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered and has amended as therein shown and as amended has again passed the following Senate Bill, and returns same herewith to the Senate:

S. 278. To provide an expense allowance for the solicitor of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 278, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 278:

In Section 1, strike out the figures \$1,200.00 and insert the figures \$800.00

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	McCain	Robison (Montgomery)
Brannan	Gilchrist	McDow	Robison (Pickens)
Carter	Givhan	Nichols	Shelton
Clark	Hawkins	Oden	Taylor
Cooper	Hornsby	Reynolds	Wilson
Dumas	Horton		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 467. To apply only in counties having populations of not less than 19,500 nor more than 20,000; regulating the insuring of public school buildings and the contents thereof in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Montgomery, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 467, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 467:

Strike out all of the bill following the enactment clause and insert in lieu thereof the following:

Section 1. In all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census, any city or county board of education in such county shall have the authority and is authorized to insure any public school building within its jurisdiction and under its control which may be owned by the state or county or any city in the county together with the equipment, furniture, fixtures, and other property in any such building for the insurable value thereof, with insurance companies of its own choosing and shall not be required to insure such property by or through either the state insurance fund or the state department of finance, any provision of law to the contrary notwithstanding.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carter	Dumas	Gilchrist
Adams	Clark	Eddins	Hammond
Allen	Cooper	Evans	Hornsby

Horton
James
Lolley
Lowe

Mathews
McCain
Montgomery
Oden

Reynolds
Robison (Montgomery)
Shelton

Smith
Taylor
Wilson

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 966, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 966 with an executive amendment.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 17, 1965

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 966, without my approval and with a suggested executive amendment.

It is suggested that you amend House Bill 966 by adding at the end of Section 1 thereof, the following:

"Provided, however, such county board of education or city board of education shall provide free textbooks to all grades which would be provided under the terms of Act No. 221, Special Session, 1965, H. 40."

This suggested executive amendment is made with the full knowledge and approval of the author of said House Bill 966, and, if adopted, will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 966, by a vote of Yeas 72, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 966. Relating to counties having a population of not less than 25,800 nor more than 26,700 according to the most recent federal decennial census; to provide further for the selection of textbooks and instructional materials for use in the public schools in such counties.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 74, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Clark, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 966, the title of which and said amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Reynolds	
Adams	Gilchrist	McCain	Roberts	
Allen	Givhan	McDow	Robison (Montgomery)	
Bentley	Hammond	Montgomery	Shelton	
Brannan	Hawkins	Nichols	Smith	
Clark	James	Oden	Taylor	
Dumas	Lolley			—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 900. To amend Section 7 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, v. 1, p. 429) in relation to the compensation of the chairman and members of the board of revenue, court of county commissioners, or other like governing body of any county having a population of not less than 96,000 nor more than 106,000.

was taken up.

Mr. Hawkins offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 900:

A BILL TO BE ENTITLED AN ACT

To amend Section 7 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, v. 1, p. 429) in relation to the compensation of the chairman and members of the board of revenue, court of county commissioners, or other like governing body of any county having a population of not less than 96,000 nor more than 106,000.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, v. 1, p. 429), an act regulating the compensation of certain officers of counties having populations of not less than 96,000 nor more than 106,000, is amended to read as follows:

"Section 7. For the performance of the duties of each of the members of the board of revenue, the board of revenue shall by resolution fix the salary of each member thereof provided that the salary of the chairman of the board of revenue shall be not less than seven thousand, two hundred dollars (\$7,200) per annum nor more than twelve thousand dollars (\$12,000) per annum and the salary of each associate member of the board of revenue shall be not less than six thousand, six hundred dollars (\$6,600) per annum nor more than ten thousand dollars (\$10,000) per annum; provided further that any such salary shall not be fixed or changed less than thirty days before any election for the members of the board of revenue. The salaries herein provided shall be paid in equal monthly installments from the county treasury in the manner prescribed by law. Such compensation shall be in lieu of all other compensation heretofore provided by law for the chairman and members of such county governing body."

Section 2. This Act shall take effect on the first of the month next following the date of its enactment.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Horton	Montgomery	Smith
Clark	James	Nichols	Taylor
Cooper	Lolley	Oden	Wilson
Dumas	Lowe		

—25

Nays:

—0

And said Bill, H. B. 900, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Horton	Montgomery	Smith
Clark	James	Nichols	Taylor
Cooper	Lolley	Oden	Wilson
Dumas	Lowe		

—25

Nays:

—0

The Bill:

H. 774. To provide for pretrial conferences in civil cases pending in the circuit courts of counties having populations of more than 600,000. was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

Amendment to House Bill 774:

Amend House Bill 774 so that the last sentence in the last paragraph of Section 1 will read as follows:

A case assigned for pretrial conference may be tried by the Judge who holds the conference, but subject to the order of the Presiding Judge, the case may be set for trial before any Judge assigned to civil trial work; provided further that no case assigned for pretrial conference shall lose its place on the regular calendar pending the conference proceeding.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Horton	Montgomery	Smith
Clark	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Horton	Montgomery	Smith
Clark	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and find same correctly enrolled, to-wit:

S. 119. To amend Section 13 of Act No. 252 of the 1955 Regular Session of the Legislature of Alabama, Approved August 18, 1955.

Also:

S. 543. To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof.

Also:

S. 574. To alter and rearrange the boundaries and corporate limits of the Town of Glencoe, Alabama, so as to exclude and detach therefrom certain territory presently included in the corporate limits.

Also:

S. 575. To alter and rearrange the boundaries between the town of Glencoe and the city of Gadsden so as to detach certain territory from the town of Glencoe and annex the same to the city of Gadsden.

Also:

S. 581. For the relief of MRS. EMMA J. BRAY authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by MRS. BRAY on the Courthouse premises.

Also:

S. 590. Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

Also:

S. 592. To alter, rearrange and extend the boundaries and corporate limits of the town of Ethelsville in Pickens County.

Also:

S. 593. Relating to the construction, maintenance and repair of the county roads and bridges of Colbert County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county, and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of all funds, including Colbert County's proportionate share of the state gasoline tax, state motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; repealing conflicting laws.

Also:

S. 594. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having a population of not less than 96,000 nor more than 106,000.

Also:

S. 599. Relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Also:

S. 600. To amend Act No. 379, H. 866 of the Regular Session of 1963, which relates to counties having populations of not less than 50,000 nor more than 54,000 and provide further for designation and alteration of election precincts and districts, voting places and voting centers therein and the conduct of elections: amending the Title and Sections 1, 2, 3, 4, and 9 of such act.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING

The Bill:

H. 76. Relating to cities operating under the commission form of government which have populations of not less than 50,000 nor more than 60,000; fixing the compensation of the mayor and city commissioners of such cities.

was taken up.

Mr. Hawkins offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 76:

A BILL
TO BE ENTITLED
AN ACT

Relating to all cities in the State of Alabama having populations of not less than 50,000 nor more than 60,000 according to the most recent federal decennial census; to provide for the operation of all such cities under the commission form of government; to regulate the powers, duties, qualifications, manner of nomination and election, terms of office, and compensation of the commissioners thereof, and to repeal the conflicting provisions of Act No. 112, Acts of Alabama 1951, page 337.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply in all cities in the State of Alabama having populations of not less than 50,000 nor more than 60,000 according to the most recent federal decennial census.

Section 2. Each such city shall operate under the commission form of government, and the governing body of each such city shall be a board of commissioners consisting of three members designated as follows: chairman, or mayor; associate commissioner number one; and associate commissioner number two. The chairman and the associate commissioners provided for in this Act shall be known collectively as the "Board of Commissioners of the City of _____," and shall have the powers and duties hereinafter provided.

Section 3. Each member of any such board of commissioners shall be a qualified elector residing within the corporate limits of such city and shall be elected at large within the city. The general election laws of Alabama shall govern the conduct of such elections except as otherwise provided herein. Any city coming within the purview of this Act which at present has a board of commissioners shall continue with the same board of commissioners until their successors in office are elected and qualified as hereinafter provided. On the first Tuesday in September in 1966 and every four years thereafter a chairman and two associate commissioners shall be elected as herein provided. In all primary and general elections held for the purpose of nominating or electing

members of the board of commissioners of any such city, each of such positions to be filled shall be designated, the associate commissioners being designated as associate commissioner numbers one and two respectively, and the designation shall appear on the ballots of such elections. Each candidate for nomination or election as a member of the board of commissioners of any such city shall designate in the declaration or announcement of his candidacy the position for which he seeks nomination or election and his name shall appear on the ballots of such election accordingly. Any petition to nominate a candidate shall designate the position for which such candidate seeks nomination and election, and shall be signed by the number of qualified electors of the city necessary to equal twenty-five percent of the total number of qualified electors of the city voting in the next preceding election for members of such board of commissioners. Any primary election held by any political party for the purpose of nominating a candidate shall be held on the same day as any county or state primary election held in that election year, and the position for which such candidate seeks nomination and election shall be designated as herein provided. At ever election each voter shall vote for only one candidate for each designated office and the candidate receiving the highest number of votes for such office shall be elected, provided he receives a majority of all votes cast for such office. In case no one of such candidate shall receive a majority of all such votes cast for the office for which he is a candidate another election shall be held on the same day of the following week for said officers at which the two candidates receiving the highest number of votes at the initial election for said office shall be voted for. The candidate receiving the highest number of votes at such final election shall be declared elected. Candidates declared elected shall qualify and take oath of office on the first Monday in October next following said election, and each shall hold such office for a term of four years and until his successor shall have been elected and qualified as provided herein. A vacancy in any office of any such board shall be filled by the remaining members thereof for the unexpired term.

Section 4. The board of commissioners shall be municipal officers only, and shall have, possess, and exercise the municipal powers, legislative, executive, and judicial, conferred upon municipalities and governing bodies thereof. All laws governing such cities, and not inconsistent with the provisions of this Act, shall apply to and govern said cities. In such cities the management and control of the public schools therein shall be vested in a board of education as provided by law. In all elections of city or town officers the ballots shall be prepared and printed under the direction of the city or town council or commission, but no candidate's name shall be printed thereon who was not nominated by primary election, political party convention, or petition of electors, as evidenced by certificate or petition filed with the city or town council or commission not less than 40 days before the election. The county executive committee of any political party which nominated candidates shall prescribe rules and regulations governing such primaries and conventions, and shall determine how the names of its nominees may be certified as herein required.

Section 5. Each such city shall be governed and managed by the board of commissioners thereof as herein provided. Each officer and employee of each such city shall be selected and employed by the said board of commissioners, shall be under its direction, and receive such salaries, wages or compensation as may be fixed by said board of commissioners. The board of commissioners shall prescribe and may at any time change the powers, duties and titles of all such officers and employees of the city, all of whom shall hold office and be removable at the pleasure of the board of commissioners. The authority herein given is subject to the provisions of any civil service or merit system law applicable to any such city.

Section 6. The powers and duties of the board of commissioners of each such city shall be distributed into and among three divisions as follows: division of general administration and finance; division of public works; and division of public safety. The mayor, or chairman of the board of commissioners, shall be the general executive officer of the city and shall be charged with the general supervision and direction of its affairs; and shall have direct supervision over the division of general administration and finance. The division of general administration and finance shall include those functions and departments of the city having to do with the collection of taxes, licenses and improvement assessments; the expenditures of the city, including the purchase of equipment and supplies; accounts and accounting; the budget and appropriations; the administration of the legal affairs of the city; the management of its sinking funds; supervision of all employees or departments of the city required by law or ordinance to inspect, examine or regulate the construction, maintenance and repair of buildings and plumbing, electrical, or other work performed in connection therewith; and the management of parks, public buildings, public lands, cemeteries and airports. In addition to the foregoing duties the mayor, or chairman of the board of commissioners, shall be ex officio member of the water works board of such city; shall advise with said water works board and make recommendations to it as appears to him to be in the public interest. Associate commissioner number one shall have direct supervision over the division of public works. The division of public works shall include those functions and departments of the city having to do with public improvements in such city, including the construction, improvement and maintenance of streets, sidewalks, sewers, drainage systems, sanitation, city shops and utilities. Associate commissioner number two shall have direct supervision over the division of public safety. The division of public safety shall include the fire and police departments. The chairman of each such board of commissioners shall devote his entire time to the duties of his office and shall maintain an office at the city hall and be present thereat during reasonable hours when not otherwise absent therefrom on other duties of the city. Associate commissioner number one and associate commissioner number two shall devote full time to the duties of their respective offices, shall attend each regular or special meeting of the board of commissioners and shall keep the board of commissioners advised concerning their respective duties.

Section 7. Any function or department of any such city not herein specifically assigned to one of the above divisions shall be the responsibility of the board of commissioners as a whole. Any function, policy or action performed, promulgated or taken by any member of the board of commissioners in connection with the division herein assigned to him may be overruled, altered or amended by majority vote of the board of commissioners. The board may elect one of their number to act as recorder or municipal judge who shall try all cases arising from the violation of city ordinances or other laws over which such courts may have jurisdiction.

Section 8. For the performance by him of the duties hereinabove imposed upon each member, the board of commissioners of each such city shall by ordinance fix the salary of each member thereof, provided that the salary of the mayor or chairman of the board of commissioners shall be set at not less than eight thousand dollars (\$8,000) per annum nor more than eighteen thousand dollars (\$18,000) per annum and provided further that the salary of each associate commissioner shall be set at not less than six thousand dollars (\$6,000) per annum nor more than fifteen thousand dollars (\$15,000) per annum. Provided, however, that any such salary shall not be fixed or changed less than thirty days before any election for the members of the board of commissioners of the city. In addition to such salary, any member of the board of commissioners of any such city shall be eligible to receive any other compensation provided

by any general, special, or local law applicable to such office. The salaries herein provided shall be paid out of the city treasury in equal monthly installments at the end of each calendar month. The payment of all funds out of the treasury shall be by warrants signed by the chairman of the board, but no funds may be paid out for any purposes except by resolution or ordinance duly passed making such appropriation.

Section 9. Each commissioner shall before entering upon the duties of his office, give a good and sufficient bond, which shall be executed by a bonding company authorized to do business in Alabama, payable to and for the use and benefit of any such city in the sum of ten thousand dollars (\$10,000), conditioned upon the faithful discharge of his duties, and that he will save such city harmless from all loss caused by his neglect of duty, misfeasance in office or for the willful expenditure of any moneys of such city, in violation of law, and said bond before being accepted shall be approved by the judge of probate in and for the county wherein such city is situated. The premiums on such bond shall be paid out of the city treasury. No member of the commission nor any person holding an office of profit under them, shall hold any office of profit or trust under the law of any state of the United States, or hold any county office; nor shall any commissioner ever be elected or appointed to any office created by or the compensation of which was increased or fixed by the commission, while he was a member thereof within two years therefrom.

Section 10. No officer or employee elected or appointed by any such city shall be interested, directly or indirectly, in any contract for work or material, for the profits thereof, or service to be furnished or performed for the city. No person who is related by consanguinity or affinity nearer than the fifth degree to any commissioner shall be allowed employment by election or appointment or receive compensation for services rendered such city. Any person violating any provision of this section shall upon conviction be guilty of a misdemeanor and any elective officer violating this section shall be guilty of malfeasance in office and shall be punished as provided by the laws of the state of Alabama. Any elective officer shall be subject to all the pains and penalties and enjoy all the privileges and immunities as provided by the Constitution and general laws of the state of Alabama applicable to such officials.

Section 11. At the end of each fiscal year the books and accounts of each of such cities shall be audited by a reputable, disinterested and certified accountant and such report shall be certified to by the city clerk and attested by the members of the commission and published in pamphlet form, and printed copies furnished to newspapers of the city and to persons who apply therefor. The governor is authorized at any time to have all books and accounts of each such city examined by the state examiners of public accounts, and the cost of such examination shall be paid by such city upon the presentation to the commissioner of a duly verified statement of such expense made by such examiner of public accounts, approved by the governor.

Section 12. The provisions of this Act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. All laws or parts of laws which conflict with this Act are repealed, and in particular all conflicting provisions of Act No. 112, Acts of Alabama 1951, page 337, are hereby expressly repealed.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	Montgomery	Robison (Pickens)
Brannan	Hawkins	Nichols	Taylor
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

And said Bill, H. B. 76, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	Montgomery	Robison (Pickens)
Brannan	Hawkins	Nichols	Taylor
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 947. To regulate the salary of the jailer in Randolph County, payable out of the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	James	Oden
Adams	Gilchrist	Lowe	Roberts
Allen	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Dumas	Horton		

—25

Nays:

—0

The Bill:

H. 1050. Relating to counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain functions and duties from the Judge of Probate to the Tax Collector; relieving the Judge of Probate of such duties; providing for the payment of all fees for such duties to the County Treasurer or County Depository to the credit of the general fund of such county and the payment of additional compensation to the Tax Collector for the performance of the additional duties and the additional responsibilities imposed by this act, effective with the next term of any such Tax Collector; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Reynolds
Adams	Givhan	McCain	Roberts
Brannan	Hornsbey	McDow	Robison (Montgomery)
Carter	Horton	Montgomery	Smith
Clark	James	Nichols	Taylor
Dumas	Lolley	Oden	Wilson
Evans	Lowe		

—25

Nays:

—0

The Bill:

H. 1117. Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; providing expense allowances for the president or chairman and members of the court of county commissioners, board of revenue, or other like governing body of the county.

was taken up.

Mr. Hawkins offered the following substitute for the Bill, to-wit:

Substitute for H. B. 1117:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census, the members of the court of county commissioners, board of revenue, or other like governing body of the county, including the president or chairman thereof, shall each be entitled to expenses in the amount of \$1,800 per annum, which shall be payable in equal monthly installments from the general funds of the county at the end of each month. The amount herein provided for is in addition to all other allowances and remuneration provided by law. This Section shall take effect on the first of the month next following the date of its enactment, however, it shall expire on the expiration of the terms of office of the incumbent members of the county governing body, at which time all laws or parts of laws providing specific sums or amounts for expenses for such officers shall stand repealed. This repeal shall not apply, however, to general, local, or special laws providing in general terms for reimbursement of expenses incurred by such officers.

Section 2. The compensation of each of the deputies of the sheriff of any such county shall be a monthly salary, as follows:

For the chief deputy, \$500 a month;

For the assistant chief deputy, \$450 a month;

For the other deputy, \$400 a month.

Section 3. This Act shall take effect on the first of the month next following the date of its enactment.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Smith
Brannan	Hawkins	Nichols	Taylor
Carter	Horton	Oden	Wilson
Clark	James		

—25

Nays:

—0

And said Bill, H. B. 1117, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Smith
Brannan	Hawkins	Nichols	Taylor
Carter	Horton	Oden	Wilson
Clark	James		

—25

Nays:

—0

The Bill:

H. 1124. To alter, rearrange and extend the boundary lines and corporate limits of the City of Scottsboro, in Jackson County, Alabama; and to prescribe the time when this Act shall become effective.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Allen	Gilchrist	McCain	Roberts
Bentley	Givhan	McDow	Robison (Montgomery)
Carter	Horton	Montgomery	Smith
Cooper	James	Nichols	Taylor
Dumas	Lolley	Oden	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1129. To authorize any county of this State having a population of 600,000 or more people according to the last or any future Federal census to create a board to review and license the exhibiting of movies to minors under eighteen (18) years of age; to provide for a judicial determination of the issue of fitness of any movie or view for viewing by minors under eighteen (18) years of age; and to provide penalties.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:
Amendment to H. B. 1129:

Amend House Bill 1129 in words and figures as follows:

1. Amend Section 2 of said bill by adding after the last sentence of said section the following:

"Provided further, however, such approval and license shall not be required for private or educational exhibitions without charge or monetary remuneration."

2. Amend Section 4 of said bill by adding after the last sentence of said section the following:

"Such disapproval shall be by a majority of the entire board."

3. Amend Section 12 of said bill by deleting the words and figures as follows:

"four (4) feet by four (4) feet" and substituting in lieu thereof the words and figures:

"sixteen (16) square feet".

Further amend Section 12 by inserting before the last sentence of said section the following:

"Movies shown publicly other than in a building or place such as mentioned in this paragraph and the exhibition not being in Interstate Commerce, shall be preceded by notice on the screen or view that such exhibition is for adults only if such be the case."

4. Amend said bill by deleting Section 14 in its entirety and re-numbering the remaining sections.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	James	Oden	
Adams	Evans	Lowe	Roberts	
Allen	Gilchrist	Mathews	Robison	(Pickens)
Bentley	Givhan	McCain	Shelton	
Brannan	Hammond	McDow	Taylor	
Carter	Hawkins	Montgomery	Wilson	
Clark	Hornsby			—25

Nays:

—0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	James	Oden	
Adams	Evans	Lowe	Roberts	
Allen	Gilchrist	Mathews	Robison	(Pickens)
Bentley	Givhan	McCain	Shelton	
Brannan	Hammond	McDow	Taylor	
Carter	Hawkins	Montgomery	Wilson	
Clark	Hornsby			—25

Nays:

—0

The Bill:

H. 1242. To provide further for funds for the maintenance and operating of the Law Library of Etowah County; to impose trial taxes on certain litigation in Etowah County and provide for the proceeds thereof to be paid into the Etowah County Law Library Fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Brannan	Gilchrist	McCain	Robison (Pickens)
Carter	Givhan	McDow	Shelton
Clark	Hawkins	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1259. To confer additional powers and authority upon the recorder of the City of Decatur in relation to remission of fines and costs, suspension of sentences, and granting of pardons and paroles.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	McCain	Robison (Montgomery)
Brannan	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Nichols	Shelton
Clark	Horton	Oden	Smith
Cooper	James	Reynolds	Taylor
Dumas	Lolley	Roberts	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1037. Relating to Cherokee County; further regulating the salaries of the chairman and members of the county board of revenue.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Hammond	Montgomery	Shelton
Bentley	Hornsby	Nichols	Smith
Cooper	Horton	Oden	Taylor
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1214. To apply only in counties having populations of not less than 25,500 nor more than 25,700; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 187, Acts of Alabama 1964, page 253.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Robison (Montgomery)
Allen	Evans	Mathews	Robison (Pickens)
Bentley	Givhan	McDow	Smith
Brannan	Hawkins	Montgomery	Taylor
Carter	Horton	Nichols	Wilson
Clark	James		

—25

Nays:

—0

The Bill:

H. 1240. Relating to Escambia County; providing expense allowances for the chairman and members of the board of county commissioners; amending Sections 2 and 4 of Act No. 411, H. 742, Regular Session 1963.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Brannan	Hawkins	McDow	Robison (Pickens)
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1215. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Shelton
Bentley	Hawkins	McDow	Smith
Brannan	Horton	Montgomery	Taylor
Carter	James	Oden	Wilson
Clark	Lolley		

—25

Nays:

—0

The Bill:

H. 1241. To provide further for purging the lists of registered voters in Escambia County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing penalties for making a willful false statement in connection with reidentification.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Hammond	Mathews	Reynolds
Brannan	Hawkins	McCain	Robison (Montgomery)
Clark	Hornsby	McDow	Robison (Pickens)
Cooper	Horton	Montgomery	Shelton
Dumas	James	Nichols	Smith
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1243. To provide further for the selection of textbooks and instructional materials for use in the public schools of Etowah County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Robison (Pickens)
Allen	Givhan	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Clark	Horton	Nichols	Taylor
Dumas	James	Oden	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1263. Relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Mathews	Reynolds
Allen	Hammond	McCain	Robison (Pickens)
Carter	Hawkins	McDow	Shelton
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1247. Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	McDow	Robison (Montgomery)
Bentley	Hawkins	Montgomery	Smith
Brannan	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Wilson
Dumas	James		
			—25

Nays:

—0

The Bill:

H. 1190. To provide retirement allowances for certain elected officials in Mobile County and of incorporated municipalities therein; providing for contributions by elected officials from the salaries paid them as public officials; providing for approval of a majority of the voters in the respective political subdivisions before the provisions of this act can become operative as to any such subdivision.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Carter	Givhan	McCain	Shelton
Clark	Hammond	Montgomery	Taylor
Cooper	Hawkins	Oden	Wilson
Dumas	James		
			—25

Nays:

—0

The Bill:

H. 1231. For the relief of Mrs. Emma J. Bray authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by Mrs. Bray on the Court-house premises.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Horton	Oden
Adams	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Nichols	Taylor
Clark	Hornsby		
			—25

Nays:

—0

The Bill:

H. 1256. Relating to counties having populations of not less than 300,000 nor more than 600,000 and to counties contiguous to any county having such population; providing for the control and abatement of arthropods in such counties; creating and establishing an Arthropod Control Board for each such county, and prescribing its powers and duties; providing for the qualifications, appointment, terms, and compensation of the members of such Boards and a director thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hornsby	Montgomery	Smith
Carter	Horton	Nichols	Wilson
Clark	James		

—25

Nays:

—0

The Bill:

H. 1234. To authorize the Director of Conservation to open a season in counties having a population of not less than 300,000 nor more than 500,000, for the hunting of female deer or unantlered male deer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	James	Oden
Adams	Eddins	Mathews	Roberts
Allen	Evans	McCain	Robison (Montgomery)
Bentley	Gilchrist	McDow	Shelton
Brannan	Givhan	Montgomery	Taylor
Clark	Hammond	Nichols	Wilson
Cooper	Hawkins		

—25

Nays:

—0

The Bill:

H. 1238. To authorize the court of county commissioners, board of revenue, or other like governing body of Coffee County to make an appropriation from the county treasury for the relief of D. B. Adkinson, a deputy sheriff who was injured in the line of duty.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Brannan	Gilchrist	Mathews	Roberts
Carter	Givhan	McCain	Robison (Montgomery)
Clark	Hammond	McDow	Shelton
Cooper	Hawkins	Nichols	Taylor
Dumas	Hornsby	Oden	Wilson
Eddins	Horton		

—25

Nays:

—0

The Bill:

H. 1253. To alter, rearrange and extend the boundary lines and corporate limits to the Town of Sweet Water in Marengo County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Lolley	Oden
Adams	Eddins	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Pickens)
Bentley	Hawkins	McCain	Smith
Brannan	Hornsby	McDow	Taylor
Carter	Horton	Montgomery	Wilson
Clark	James		
			—25

Nays:

—0

The Bill:

H. 1235. Relating to counties having populations of not less than 25,800 nor more than 26,700; providing an expense allowance for the superintendent of education in any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Smith
Brannan	Hammond	Montgomery	Taylor
Clark	Hawkins	Nichols	Wilson
Dumas	Lolley		
			—25

Nays:

—0

The Bill:

H. 1239. Relating to Escambia County; requiring the tax collector to send certain notices to taxpayers by mail, and providing for the cost of payment for postage.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Adams	Hawkins	McCain	Robison (Pickens)
Brannan	Hornsby	McDow	Shelton
Clark	Horton	Montgomery	Smith
Cooper	James	Nichols	Taylor
Dumas	Lolley	Oden	Wilson
Eddins	Lowe		
			—25

Nays:

—0

The Bill:

H. 1262. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of the Regular Session of the Legislature of Alabama of 1951, pages 1571 et seq.) as heretofore amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hornsby	Montgomery	Smith
Carter	Horton	Nichols	Taylor
Clark	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1218. To further amend Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376-400) as heretofore amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Reynolds
Adams	Givhan	McCain	Roberts
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	James	Nichols	Taylor
Clark	Lolley	Oden	Wilson
Dumas	Lowe		

—25

Nays:

—0

The Bill:

H. 1216. To provide for the calculation and payment of salaries on a monthly, semi-monthly, each two weeks or weekly basis of all elected officials in counties in this State having a population of 500,000 or more according to the last, or any subsequent Federal census; to provide for the repeal of all laws or parts of laws, general, special or local in conflict herewith; and to provide for the effective date of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Adams	Gilchrist	McCain	Roberts
Allen	Givhan	McDow	Robison (Montgomery)
Bentley	Hammond	Montgomery	Robison (Pickens)
Cooper	James	Nichols	Shelton
Dumas	Lolley	Oden	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1232. To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the City of Prichard.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Nichols	Smith
Carter	Hornsby	Oden	Taylor
Clark	Horton		
			—25

Nays:

—0

The Bill:

H. 750. To apply only in counties of the State having populations of not less than 10,000 nor more than 10,900 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Gilchrist	McDow	Shelton
Bentley	Givhan	Montgomery	Smith
Carter	Hammond	Nichols	Taylor
Clark	Hawkins	Oden	Wilson
Cooper	Hornsby		
			—25

Nays:

—0

The Bill:

H. 1249. Relating to counties having populations of not less than 60,500 nor more than 65,000; providing that minutes of meetings, and any information, document, record, or statement disclosed or made at such meetings, of the medical staff and certain committees thereof of any hospital in any such county shall be privileged communications and not subject to use as evidence in civil actions or proceedings.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Brannan	Givhan	McCain	Robison (Pickens)
Carter	Hammond	McDow	Shelton
Clark	Hawkins	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	Lolley	Oden	Wilson
Eddins	Lowe		
			—25

Nays:

—0

The Bill:

H. 1220. Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; authorizing the court of county commissioners or other like governing body of such counties to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Adams	Gilchrist	McCain	Roberts
Allen	Givhan	McDow	Robison (Montgomery)
Clark	Hawkins	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	Lolley	Oden	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1226. To provide additional deputies for the sheriff of Winston County in lieu of the additional deputies heretofore provided by law; to provide for the appointment of such deputies to prescribe their duties and to fix their compensation, payable out of the general funds of the county; to repeal Act No. 158, S. 166, Regular Session 1927 (local acts 1927, p. 69) and Act No. 203, H. 617, Regular Session 1947 (local acts 1947, p. 121) both of which Acts provide for additional deputies to the sheriff of Winston County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McCain	Roberts
Allen	Hammond	McDow	Robison (Montgomery)
Brannan	Hawkins	Montgomery	Shelton
Carter	Hornsby	Nichols	Smith
Clark	Horton	Oden	Taylor
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1219. Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; further regulating the execution of civil processes issued by justice of the peace courts and ex officio justice of the peace courts in precincts lying within, or partly within, any city or incorporated town having more than fifteen hundred inhabitants and located in a county to which this Act applies; providing that all such civil processes issued by such justice of the peace

courts and ex officio justice of the peace courts shall only be executed or served by the regular constable elected or appointed to serve such precinct, or by deputy constables appointed by him, or by the Sheriff or Chief Deputy Sheriff of such county, or by any deputy sheriff of such county whose compensation is regularly paid from the general funds of such county under authorization of local legislation enacted by the Legislature of Alabama; further authorizing the appointment of not more than three deputy constables by the regular constable elected or appointed to serve such precinct and prescribing their qualifications, powers and duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Robison (Montgomery)
Adams	Gilchrist	McDow	Robison (Pickens)
Allen	Hammond	Montgomery	Shelton
Carter	Hawkins	Nichols	Smith
Clark	Horton	Oden	Taylor
Cooper	Lowe	Reynolds	Wilson
Eddins	Mathews		

—25

Nays:

—0

The Bill:

H. 1225. To provide for the relief of T. A. Baldy of Winston County; authorizing and directing the governing body of Winston County to compensate T. A. Baldy for medical and hospital expenses incurred and for personal injuries suffered by him in connection with an injury received while performing his duty as a deputy sheriff of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Allen	Givhan	McCain	Roberts
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Montgomery	Smith
Clark	Hornsby	Nichols	Taylor
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1224. To levy in Winston County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in such county of cigarettes and cigars; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes and cigars, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes and cigars; to provide that the tax shall be in addition to all other taxes now levied by law; to require the affixing of stamps to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for

the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Hornsby	McDow	Robison (Pickens)
Clark	Horton	Nichols	Smith
Cooper	James	Oden	Taylor
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1236. To provide an expense allowance for the Clerk of the Circuit Court in all Counties in the State of Alabama having a population of not less than One Hundred Thousand (100,000) nor more than One Hundred Fifteen Thousand (115,000) inhabitants according to the last or any subsequent Federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	Oden
Adams	Dumas	James	Roberts
Allen	Eddins	Lowe	Robison (Montgomery)
Bentley	Evans	McCain	Shelton
Brannan	Gilchrist	Montgomery	Taylor
Carter	Givhan	Nichols	Wilson
Clark	Hammond		

—25

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Adams, further consideration of the Bill, H. B. 1265, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1186. To regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 13,650 nor more than 14,350, according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Reynolds
Allen	Gilchrist	Mathews	Roberts
Bentley	Givhan	McDow	Robison (Pickens)
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1173. To provide for an expense allowance for the Circuit Solicitor of the 33rd Judicial Circuit of Alabama, who resides and has an office at the County site of Geneva County, Alabama; and providing for the payment of such expense allowance out of the General Fund of Geneva County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Givhan	McDow	Robison (Montgomery)
Allen	Hammond	Montgomery	Shelton
Brannan	Hawkins	Nichols	Smith
Carter	James	Oden	Taylor
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

RESOLUTION

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 64. BE IT RESOLVED BY THE SENATE That the following shall be the special, paramount and continuing order of business, today, immediately upon its adoption, superseding all and any prior special, paramount and continuing orders of business:

House Bill 973 on Page 48.

Mr. Gilchrist offered the following substitute for the Resolution, to-wit:

SUBSTITUTE FOR RULES COMMITTEE REPORT:

BE IT RESOLVED BY THE SENATE That the following shall be the special, paramount and continuing order of business today on the call of the calendar, superseding all and any prior special, paramount and continuing orders of business:

H. 874, page 28.

H. 390, page 27.

H. 401, page 29.

H. 720, page 17.

H. 703, page 70.

H. 935, page 19.

H. 393, page 31.

H. 655, page 35.

H. 395, page 31.

H. 396, page 30.

H. 48, page 10.

H. 95, page 21.

H. 398, page 29.

H. 397, page 30.

H. 391, page 62.

H. 403, page 28.

H. 140, page 67.

On motion of Mr. Cooper, said substitute was laid on the table.

Yeas 23; Nays 5.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McDow	Robison (Pickens)
Brannan	Givhan	Montgomery	Shelton
Carter	James	Nichols	Smith
Cooper	Lolley	Reynolds	Taylor
Eddins	Lowe	Roberts	Wilson

—23

Nays:

Messrs.:	Dumas	Horton	McCain
Bentley	Hawkins		

—5

Mr. Horton offered the following amendment to the Resolution, S. R. 64, to-wit:

AMENDMENT TO RULES COMMITTEE REPORT:

Amend the Rules Committee Report by striking therefrom all the bills listed thereon and substituting the following bills therefor:

H. 699, page 61.

H. 874, page 28.

H. 390, page 27.

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 22; Nays 6.

Yeas:

Messrs.:	Clark	Hammond	Nichols
Adams	Cooper	James	Reynolds
Allen	Dumas	Lowe	Robison (Pickens)
Bentley	Eddins	McCain	Smith
Brannan	Evans	McDow	Taylor
Carter	Givhan	Montgomery	

—22

Nays:

Messrs.:
Gilchrist

Hawkins
Horton

Roberts
Robison (Montgomery)

Shelton

—6

Mr. Shelton offered the following substitute for the Resolution, S. R. 64, to-wit:

SUBSTITUTE FOR RULES COMMITTEE REPORT:

BE IT RESOLVED BY THE SENATE That the following shall be the special, paramount and continuing order of business today on the call of the calendar, superseding all and any prior special, paramount and continuing orders of business:

- H. 874, page 28.
- H. 390, page 27.
- H. 401, page 29.
- H. 720, page 17.
- H. 703, page 70.
- H. 935, page 19.
- H. 393, page 31.
- H. 655, page 35.
- H. 395, page 31.
- H. 396, page 30.
- H. 48, page 10.
- H. 95, page 21.
- H. 398, page 29.
- H. 397, page 30.
- H. 403, page 28.
- H. 782, page 35.
- H. 391, page 62.
- H. 1060, page 47.
- H. 1061, page 46.

Mr. Clark offered the following substitute for the substitute offered by Mr. Shelton for the Resolution, S. R. 64, to-wit:

SUBSTITUTE FOR SUBSTITUTE FOR S. R. 64:

BE IT RESOLVED BY THE SENATE That the following shall be the special, paramount and continuing order of business immediately upon its adoption, superseding all and any prior special, paramount and continuing orders of business:

- H. 699, page 61.
- H. 935, page 19.
- H. 874, page 28.
- H. 390, page 27.

H. 401, page 29.
 H. 720, page 17.
 H. 655, page 35.
 H. 395, page 31.
 H. 396, page 30.
 H. 397, page 30.
 H. 398, page 29.
 H. 95, page 21.
 H. 48, page 10.
 H. 403, page 28.
 H. 782, page 35.
 H. 140, page 67.
 H. 391, page 62.
 H. 393, page 31.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1172. To amend Act No. 515, H. 756, Regular Session 1963 (Acts 1963, p. 1100), an act providing for a privilege license tax in Franklin County on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Robison (Pickens)
Allen	Givhan	McDow	Shelton
Bentley	Horton	Montgomery	Smith
Cooper	James	Oden	Taylor
Dumas	Lolley	Roberts	Wilson
Eddins	Lowe		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Hester:

H. J. R. 171. WHEREAS our esteemed colleague of Pickens County, the Honorable Ulie B. Sullivan, has made known his intention to be a candidate for the position of Commissioner of Agriculture; and

WHEREAS Mr. Sullivan through his years of experience as tax collector and jury commissioner in the county of Pickens is an able poli-

tician experienced in getting votes, and having been successfully engaged in the motel-hotel business, is well versed in the sleeping habits of his fellow man, for what that may be worth to him; and

WHEREAS Mr. Sullivan is above all a man of the soil, reared in a rural county, familiar with the problems of farmers and of rural life; and

WHEREAS Mr. Sullivan knows the cow's in the pasture and the milk's in the cow, and he's got to get the milk in the can somehow; and he knows too that you can do it by geography and you can do it by signs, but the cow hasn't got a mathematical mind; and

WHEREAS we need the kind of man as Commissioner of Agriculture who is aware of all these smaller intricacies of farm life, as well as one who is capable of raking in votes as well as hay; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members of this body endorse Mr. Sullivan's candidacy in his race for Commissioner of Agriculture and bless him with our contributions.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 171, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 703. To provide a personnel merit system for the administration, control, and regulation of employment in the service of the Alabama State Hospital and the Partlow State School and Hospital.

Was read a third time at length and passed.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Evans	James	Reynolds
Adams	Gilchrist	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Clark	Hornsby	Montgomery	Smith
Dumas	Horton	Nichols	Wilson
Eddins			

—28

Nays: Messrs. Cooper, Taylor

—2

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 106. To provide for the appointment, removal, and discharge of a legal representative to manage public assistance payments for certain public assistance applicants or recipients, and to prescribe the duties of such legal representative.

Also:

S. 107. To adopt the Interstate Compact On Juveniles, to authorize the Governor to execute the Compact with other states; to designate the Commissioner, State Department of Pensions and Security, as Compact Administrator and to empower him to make supplementary agreements and arrangements for cooperative services on the Compact.

Also:

S. 391. To amend Title 13, Section 240, Code of Alabama 1940.

Also:

S. 104. To prescribe the time in which appeals may be made to the Supreme Court or to the Court of Appeals from decrees affecting the custody of children; and to provide that such cases so appealed shall be considered preferred cases.

Also:

S. 108. To amend Section 20, Act No. 703, Acts of Alabama 1951, page 1211 (1223), approved September 5, 1951, by extending the penalty for false representation to include surplus commodities and other benefits administered by the Department of Pensions and Security.

Also:

S. 316. To amend Section 70 of Title 12 of Code of Alabama 1940, as amended.

Also:

S. 317. To provide a method of payment of member and employer contributions to the Employees' Retirement System for County Engineers participation in said System under provisions of Section 3 of Act No. 515, General Acts of Alabama 1945, page 734, approved July 9, 1945, as amended by Act No. 248, Acts of Alabama 1964, page 345, approved September 4, 1964; and to provide for contributions to the employing counties by the State Highway Department of amounts due for employer participation.

Also:

S. 429. To authorize the Director of Conservation to open a season in counties having a population of not less than 18,000 nor more than 19,400 for the hunting of female deer or unantlered male deer.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 2. To be known as the Uniform Commercial Code, Relating to Certain Commercial Transactions in or regarding Personal Property and Contracts and other Documents concerning them, including Sales, Commercial Paper, Bank Deposits and Collections, Letters of Credit, Bulk Transfers, Warehouse Receipts, Bills of Lading and other Documents of Title, Investment Securities, and Secured Transactions, including certain Sales of Accounts, Chattel Paper, and Contract Rights; Providing for

Public Notice to Third Parties in Certain Circumstances; Regulating Procedure, Evidence and Damages in Certain Court Actions Involving such Transactions, Contracts or Documents; to Make Uniform the Law with Respect Thereto; to Repeal Inconsistent Legislation, including the following laws and parts of laws:

Code of Alabama 1940: Title 2, §§ 504-567, inclusive; Title 5, § 135 and § 136; Title 7, § 401 and § 402; Title 9, §§ 10-13, inclusive; Title 10, §§ 48-69, inclusive; Title 20, § 10, as amended, and §§ 11-14, inclusive; Title 39, §§ 1-12, inclusive, § 13, as amended, §§ 14-85, inclusive, § 86, as amended, §§ 87-183, inclusive, § 190 and § 191; Title 47, § 110, § 111, § 123, § 124, § 130, § 131, as amended, and §§ 161-163, inclusive; Title 48, §§ 356-397, inclusive; Title 57, §§ 1-76, inclusive; and the following Acts of the Legislature of Alabama: Act No. 591, General Acts of Alabama, Regular Session (1939) p. 963, approved June 28, 1940; Act No. 641, General Acts of Alabama, Regular Session (1939) p. 1006, approved July 10, 1940; Act No. 128, General Acts of Alabama, Regular Session (1943) p. 130, approved June 10, 1943; Act No. 129, General Acts of Alabama, Regular Session (1943) p. 131, approved June 10, 1943; Act No. 270, General Acts of Alabama, Regular Session (1947) p. 111, approved August 8, 1947; Act No. 320, General Acts of Alabama, Regular Session (1949) p. 451, approved August 2, 1949, as amended; Act No. 338, General Acts of Alabama, Regular Session (1949) p. 503, approved August 8, 1949; Act No. 555, General Acts of Alabama, Regular Session (1957) p. 775, approved September 18, 1957; Act No. 570, General Acts of Alabama, Regular Session (1957) p. 790, approved September 18, 1957; Act No. 881, General Acts of Alabama, Regular Session (1961) p. 1385, approved September 8, 1961; and Act No. 82, General Acts of Alabama, Regular Session (1963) p. 461, approved June 27, 1963; and to Amend the following laws:

Code of Alabama 1940: Title 7, § 28, dealing with agreements and stipulations for limiting the time for the bringing of any action, § 126, dealing with when the beneficial owner must sue and when the holder of legal title, and § 714, dealing with the length of publication of notice; Title 33, § 25, dealing with the lien of blacksmiths, woodworkmen and other mechanics; Title 39, § 184, as amended, dealing with Sundays and legal holidays and paper due thereon; Title 39, § 195, dealing with the mode of charging an indorser or assignor on nonnegotiable paper, § 198, dealing with assignments or indorsements of certain contracts, and § 206, dealing with payments, set-offs and discounts in connection with certain contracts and writings; Title 47, § 95, dealing with the admissibility of certain documents to record and the effect of the recording of the same, and § 126, dealing with the necessity for recording certain loans in writing, wills or conveyances; and Title 51, § 2, dealing with the exemption of certain persons and property from ad valorem taxation, and § 619, dealing with the mortgage filing privilege or license tax; and also Act No. 629, General Acts of Alabama, Regular Session (1951) p. 1084, approved September 4, 1951, dealing with the recordation of and effect of failure to record certain transfers of standing timber, trees and cutting rights.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF S. R. 64

The Senate proceeded to further consideration of the Resolution, S. R. 64. The question was on the substitute offered by Mr. Clark, which was then adopted.

And said Resolution, S. R. 64, as thus amended by the substitute, was then adopted by unanimous consent of the Senate.

RESOLUTIONS

Mr. McDow offered the following Senate Joint Resolution, to-wit:
Creating a joint interim committee on educational institutions.

S. J. R. 65. WHEREAS this Legislature has established one four-year institution, fourteen junior colleges, and sixteen trade schools, for a total of thirty new institutions of higher education, and has increased appropriations to higher education during this Administration by more than 25 million dollars, which represents an increase of more than 100% in support of institutions of higher learning; and

WHEREAS we have in Alabama a total of eleven four-year state institutions, fourteen private and parochial four-year institutions, fifteen two-year state institutions, six two-year private and parochial institutions, seven state branch campuses and twenty-seven state vocational technical schools, for a total of eighty institutions of higher education; and

WHEREAS Alabama has the greatest percentage increase in enrollment in institutions of higher learning in the nation for the school year 1964-65, and it is apparent to this Legislature that a careful study should be made with respect to the problem of coordinating all of the efforts of these various institutions of Alabama; now therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a joint interim committee shall be named to study this important matter and report its findings, conclusions, and recommendations to the two houses at the next regular session of the Legislature; that the committee shall consist of five members of the House, appointed by the Speaker, four members of the Senate, appointed by the President of the Senate.

RESOLVED FURTHER That the committee shall elect a chairman and vice chairman from among their number, and shall hold such hearings, examine such witnesses, and conduct such studies and make such inquiries as it considers necessary and proper in the performance of its duties. The committee may engage such clerks and assistants as may be needed in aid of their work.

RESOLVED FURTHER, The members of the committee shall be entitled to their usual legislative compensation and expenses when engaged on committee business; and the per diem pay and expenses of members and the compensation of committee employees shall be paid from funds appropriated to the use of the Legislature on certificate of the committee chairman, provided that the total amount thereof shall not exceed \$15,000 altogether.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 364. To provide for the establishment of works of improvement for the drainage of wet, swamp, and overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State; to authorize the organization of water management districts; to confer the right of eminent domain to the extent necessary to carry out the purposes of this Act; to provide for

raising revenue by taxation and bond issue to pay the costs and expenses of carrying out the purposes of this Act; designating drainage districts as water management districts; prescribing penalties; and repealing Code of Alabama 1940, Title 2, Sections 208-262.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Carter, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 364, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 364:

Amend Section 14 of S. B. 364 by inserting at the end of the first sentence thereof the following:

"Nothing in this Act shall be construed to authorize the acquisition by eminent domain of any real property or rights owned or controlled by railroads or utilities, both public or private."

Yeas 20; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Robison (Montgomery)
Adams	Givhan	Mathews	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Carter	Horton	Nichols	Smith
Cooper	James	Roberts	Wilson
Eddins			

—20

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 210. To better provide for the public health by providing for the regulation and approval of schools of nursing, for the examination, regulation and licensing of professional and practical nurses; to create and define the powers of the Board of Nursing and the Advisory Council for practical nursing; to provide for the appointment and prescribe the terms of office, duties and compensation of members of such Board and of such Council; to provide for disciplining licensees and for appeals from decisions of the said Board; to prescribe penalties for violation of the provisions of this Act; and to make further provisions for the purpose of carrying out this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 210, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 210:

Amend Section 3, captioned "Board of Nursing" by substituting a new Section 3 to read as follows:

"Section 3. BOARD OF NURSING. There is hereby created the Board of Nursing, which shall be composed of six (6) members to be appointed as hereinafter provided for, which shall have the duties and powers hereinafter enumerated. The Governor shall appoint the members of the Board for terms as follows:

- One for a term of one year;
- One for a term of two years;
- Two for a term of three years, and
- Two for a term of four years.

As the terms of the members expire, their successors shall be appointed for terms of four years each. Vacancies in unexpired terms shall be filled in the same manner as original appointments are made. No member shall be appointed to more than two consecutive terms of four years each. Five (5) members of the Board shall be licensed professional nurses and one (1) member of the Board shall be a licensed practical nurse. The Governor shall appoint the members of the Board who are to be licensed professional nurses from a list of the nominees furnished him by the Board of Directors of the Alabama State Nurses' Association and such list, when furnished, shall contain at least twice the number of nominees as there are appointments to be made or vacancies to be filled. The Board of Directors of the Alabama State Nurses' Association shall, on or before December 1st of each year, or at such other times as necessary, furnish the Governor with a list of licensed professional nurses qualified for appointment to the Board, and the Governor shall appoint the members of the Board from the list of nominees so submitted. The Governor shall appoint the member of the Board who is to be a licensed practical nurse from a list of nominees furnished him by the Board of Directors of The Licensed Practical Nurses Association of Alabama and such list, when furnished, shall contain at least twice the number of nominees for the vacancy to be filled. The Board of Directors of The Licensed Practical Nurses Association of Alabama shall on or before December 1 of each year, or at such other times as necessary, furnish the Governor with a list of licensed practical nurses qualified for appointment to the Board, and the Governor shall appoint the member of the Board from the list of nominees so submitted. The Governor may remove any member from the Board for neglect of duty of the Board, incompetency or unprofessional or dishonorable conduct. Each person appointed to the Board as a licensed professional nurse shall be a citizen of the United States and a resident of the State of Alabama and shall have these additional qualifications: Be a graduate of a state approved educational program for the preparation of practitioners of professional nursing; be a currently licensed professional nurse in Alabama; have a minimum of five years successful nursing experience in an administrative or a teaching capacity and shall be actively engaged in professional nursing in this state immediately preceding appointment. Each person appointed to the Board as a licensed practical nurse shall be a citizen of the United States and a resident of the State of Alabama and shall have these additional qualifications: Be a graduate of a state approved vocational educational program for the preparation of practitioners of licensed practical nursing; hold a diploma from an accredited high school or its equivalent; be a currently licensed practical nurse in Alabama; have a minimum of five years successful nursing experience; and shall be actively engaged in licensed practical nursing in this state immediately preceding appointment.

It is provided, however, in order to insure continuity of administration, that the present five (5) professional nurse members of the Board of Nurses' Examiners and Registration shall continue to serve to completion the term for which they are now serving, and the Governor shall

appoint new members to the Board of Nursing for any of the initial terms hereinabove set forth. In addition, the Governor shall appoint the initial member of the Board who is to be a licensed practical nurse in the manner as herein provided for an initial term of three years."

The Board shall have the following powers and perform the following duties: It shall meet at least once a year and shall, at its organizational meeting and at its annual meeting thereafter, elect from its members a President, a Vice-President and a Secretary. It may hold such other and additional meetings during any year as it deems necessary for the transaction of business. A majority of the Board, including one officer, shall constitute a quorum at any meeting.

The Board is authorized to:

(1) Adopt and, from time to time, revise such rules and regulations, not inconsistent with law, as may be necessary to enable it to carry into effect the provisions of this Act;

(2) Prescribe standards and approve curricula for educational programs preparing persons for licensure under this Act;

(3) Provide for surveys and evaluations of such programs at such times as it may deem necessary;

(4) Approve such programs as meet the requirements of this Act and of the Board; provided, however, that in practical nursing programs conducted under the auspices of the State Board of Education, it shall consult with the Board of Education in the approval of such programs of said Board;

(5) Deny or withdraw approval from educational programs for failure to meet prescribed standards;

(6) Examine, license, and renew the licenses of duly qualified applicants and require employers to submit listings of personnel covered by this Act to the Board upon request;

(7) Conduct hearings upon charges calling for discipline of a licensee or revocation of a license;

(8) Have the power to issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at hearings;

(9) Cause the prosecution of all persons violating the provisions of this Act and incur such necessary expenses therefor;

(10) Keep a confidential record of all its proceedings;

(11) Keep a register of all licensees;

(12) Make an annual report to the Governor;

(13) Appoint and employ a qualified person, not subject to the State Merit System, who shall not be a member of the Board, to serve as Executive Officer;

(14) Define the duties and fix the compensation for the Executive Officer;

(15) Employ such other persons as may be necessary to carry on the work of the Board and provide for appropriate bonding of employees; regular employees of the Board shall be employed subject to the State Merit System in effect upon the effective date of this Act or at the time of employment;

(16) Employ consultants, specialists, counsel or other specially qualified persons under contract or on a part time basis to assist it in administering this Act and without regard to the State Merit System in effect at or after the effective date of this Act and to pay for the services of such person;

(17) Accept gifts and grants upon terms and conditions imposed by it through official resolutions;

(18) Perform such other duties, not inconsistent with law, as required by this Act to foster and improve nursing and the regulation thereof and the public health of this state;

(19) Expend funds of the Board in exercising its powers and duties and in administering this Act.

The Board of Nurses' Examiners and Registration is hereby abolished.

The Executive Officer, employed by the Board as provided for herein, shall be a citizen of the United States and a person of the highest integrity and shall possess these additional qualifications;

Be a licensed professional nurse in Alabama or eligible for licensure and be a graduate of a professional nursing program approved by the State in which the program was completed, and have had a varied experience in nursing, including at least five years experience in an administration or teaching capacity.

The Executive Officer shall be bonded for the faithful performance of the duties of the office in the sum of not less than Five Thousand (\$5,000.00) Dollars, and the premium of the bond shall be paid out of the funds of the Board.

Each member of the Board shall receive Fifteen (\$15.00) Dollars per day for attendance at the Board meetings, together with necessary travel and other expenses incurred in the discharge of his or her duties as a Board member. In addition, any member of the Board engaged in duties, under the direction of the Board, shall receive Fifteen (\$15.00) Dollars per day and necessary expenses.

AMENDMENT TO S. B. 210:

Amend Section 6, captioned "Licensed Practical Nurses" by deleting therefrom the phrase "has completed the 10th grade in an accredited high school and preferably".

AMENDMENT TO S. B. 210:

Amend Section 2, captioned "Definition" by deleting the word "selected" from line sixteen thereof.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Bentley	Givhan	Mathews	Robison (Montgomery)
Brannan	Hawkins	McDow	Shelton
Clark	Hornsby	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 66. To amend Section 269 of Title 46, Code of Alabama 1940, to authorize the state board of medical examiners to issue certificates of qualification without examination in behalf of full time employed physicians teaching in medical colleges in Alabama, and to authorize said board to make rules and regulations with reference thereto, and to require a fee from such applicants, and to limit their practice.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 66, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL 66:

Amend Section 1 of S. B. 66 more particularly subsection b. of Section 269 of Title 46 as set out in Section 1, by adding the following after the words "other qualifications." on line 11 in subsection b.:

"The dean in submitting said certificate of qualifications shall submit in addition to the certificate and other information required a dossier on said applicant to include the following: name, residence of birth, all places of residence, race, religious beliefs, any convictions of any crimes, education showing institution degrees, medical training, degrees and experience, internships by years and place, any other honorary degrees or recognitions. The dean shall include any other remarks appropriate. The application shall contain a statement that said applicant is not now a member of the Communist Party in America nor of any other nation, nor of international communism, nor has ever been. In the event any applicant has been affiliated with or a member of any of the aforementioned groups then that fact, plus dates, activities and places of the activities shall be set out in detail on the application and filed with the board. The statement shall be signed by the said applicant under oath. The dean shall verify said records including the last statement upon 'information and belief'. Said record shall be public records and shall be submitted to the board and kept as permanent records for the use of the board and for public inspection for due cause."

Yeas 24; Nays 0.

Yeas:

Messrs.:
Adams
Allen
Bentley
Brannan
Carter
Clark

Cooper
Dumas
Eddins
Givhan
Hammond
Hawkins

James
Lolley
Mathews
McDow
Montgomery
Reynolds

Roberts
Robison (Montgomery)
Robison (Pickens)
Shelton
Smith
Wilson

—24

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 65. To amend Sections 3 and 7 of Act No. 106, Acts 1959, page 592, approved August 26, 1959 (Title 46, Sections 257 (3), 257 (7), Code of Alabama Recompiled 1958, 1963 Cumulative Pocket Part), entitled "An Act to provide for the issuance, suspension, revocation, and renewal of licenses and certificates of registration of all persons admitted to or engaged in the practice of the healing arts or any branch thereof in the State of Alabama; creating a State Licensing Board for the Healing Arts to administer the act and to assist in the enforcement of other regulatory laws; providing for its organization, officers, jurisdiction, powers and duties; prescribing procedures and grounds governing the issuance, suspension, revocation, or renewal of such licenses and certificates of registration; imposing fees and charges; providing for the use of such fees and charges; and prescribing penalties."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 65, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 65:

Amend S. B. 65 by adding the following at the end of Section 3 thereof:

"Provided that the dean of said medical college or University shall have submitted in behalf of said applicant an application as follows.

"The dean in submitting said certificate of qualifications shall submit in addition to the certificate and other information required a dossier on said applicant to include the following: name, residence of birth, all places of residence, race, religious beliefs, any convictions of any crimes, education showing institution degrees, medical training, degrees and experience, internships by years and place, any other honorary degrees or recognitions. The dean shall include any other remarks appropriate. The application shall contain a statement that said applicant is not now a member of the Communist Party in America nor of any other nation, nor of international communism, nor has ever been. In the event any applicant has been affiliated with or a member of any of the aforementioned groups then that fact, plus dates, activities and places of the activities shall be set out in detail on the application and filed with the board. The statement shall be signed by the said applicant under oath. The dean shall verify said records including the last statement upon 'information and belief'. Said record shall be public records and shall be submitted to the board and kept as permanent records for the use of the board and for the use of the board and for public inspection for due cause."

Yeas 20; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Givhan	McDow	Robison (Montgomery)
Allen	Hammond	Montgomery	Shelton
Brannan	Hawkins	Nichols	Smith
Clark	Lolley	Reynolds	Taylor
Cooper			

—20

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 64. To amend Section 21 of Act No. 107, Acts 1959, page 604, approved August 26, 1959 (Title 46, Section 257 (46), Code of Alabama Recompiled 1958, 1963 Cumulative Pocket Part), entitled "An Act to provide further regulations governing the qualifications and eligibility of persons to engage in or be admitted to the practice of the healing arts; creating the state board of examiners in the basic sciences to administer the act, and providing for its organization, jurisdiction, authority, powers, and duties; imposing fees and charges and providing for their use; prescribing penalties," to exempt full time teachers in approved medical colleges certified by the dean thereof as having sufficient qualifications in the basic sciences.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 64, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL 64:

Amend Senate Bill 64 by adding the following at the end of Section 1:

"Provided that the dean in submitting said certificate of qualifications shall submit in addition to the certificate and other information required a dossier on said applicant to include the following: name, residence of birth, all places of residence, race, religious beliefs, any convictions of any crimes, education showing institution degrees, medical training, degrees and experience, internships by years and place, any other honorary degrees or recognitions. The dean shall include any other remarks appropriate. The application shall contain a statement that said applicant is not now a member of the Communist Party in America nor or any other nation, nor of international communism, nor has ever been. In the event any applicant has been affiliated with or a member of any of the aforementioned groups then that fact, plus dates, activities and places of the activities shall be set out in detail on the application and filed with the board. The statement shall be signed by the said applicant under oath. The dean shall verify said records including the last statement upon 'information and belief'. Said record shall be public records and shall be submitted to the board and kept as permanent records for the use of the board and for public inspection for due cause."

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Lowe	Roberts
Adams	Eddins	Mathews	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Montgomery	Shelton
Carter	James	Nichols	Smith
Clark	Lolley	Reynolds	Taylor
Cooper			

—24

Nays:

—0

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 2. To be known as the Uniform Commercial Code, Relating to Certain Commercial Transactions in or regarding Personal Property and Contracts and other Documents concerning them, including Sales, Commercial Paper, Bank Deposits and Collections, Letters of Credit, Bulk Transfers, Warehouse Receipts, Bills of Lading and other Documents of Title, Investment Securities, and Secured Transactions, including certain Sales of Accounts, Chattel Paper, and Contract Rights; Providing for Public Notice to Third Parties in Certain Circumstances; Regulating Procedure, Evidence and Damages in Certain Court Actions Involving such Transactions, Contracts or Documents; to Make Uniform the Law with Respect Thereto; to Repeal Inconsistent Legislation, including the following laws and parts of laws:

Code of Alabama 1940: Title 2, §§ 504-567, inclusive; Title 5, § 135 and § 136; Title 7, § 401 and § 402; Title 9, §§ 10-13, inclusive; Title 10, §§ 48-69, inclusive; Title 20, § 10, as amended, and §§ 11-14, inclusive; Title 39, §§ 1-12, inclusive, § 13, as amended, §§ 14-85, inclusive, § 86, as amended, §§ 87-183, inclusive, § 190 and § 191; Title 47, § 110, § 111, § 123, § 124, § 130, § 131, as amended, and §§ 161-163, inclusive; Title 48, §§ 356-397, inclusive; Title 57, §§ 1-76, inclusive; and the following Acts of the Legislature of Alabama: Act No. 591, General Acts of Alabama, Regular Session (1939) p. 963, approved June 28, 1940; Act No. 641, General Acts of Alabama, Regular Session (1939) p. 1006, approved July 10, 1940; Acts No. 128, General Acts of Alabama, Regular Session (1943) p. 130, approved June 10, 1943; Act No. 129, General Acts of Alabama, Regular Session (1943) p. 131, approved June 10, 1943; Act No. 270, General Acts of Alabama, Regular Session (1947) p. 111, approved August 8, 1947; Act No. 320, General Acts of Alabama, Regular Session (1949) p. 451, approved August 2, 1949, as amended; Act No. 338, General Acts of Alabama, Regular Session (1949) p. 503, approved August 8, 1949; Act No. 555, General Acts of Alabama, Regular Session (1957) p. 775, approved September 18, 1957; Act No. 570, General Acts of Alabama, Regular Session (1957) p. 790, approved September 18, 1957; Act No. 881, General Acts of Alabama, Regular Session (1961) p. 1385, approved September 8, 1961; and Act No. 82, General Acts of Alabama, Regular Session (1963) p. 461, approved June 27, 1963; and to Amend the following laws:

Code of Alabama 1940: Title 7, § 28, dealing with agreements and stipulations for limiting the time for the bringing of any action, § 126, dealing with when the beneficial owner must sue and when the holder of legal title, and § 714, dealing with the length of publication of notice; Title 33, § 25, dealing with the lien of blacksmiths, woodworkmen and other mechanics; Title 39, § 184, as amended, dealing with Sundays and legal holidays and paper due thereon; Title 39, § 195, dealing with the mode of charging an indorser or assignor on nonnegotiable paper, § 198, dealing with assignments or indorsements of certain contracts, and § 206, dealing with payments, set-offs and discounts in connection with certain contracts and writings; Title 47, § 95, dealing with the admissibility of certain documents to record and the effect of the recording of the same, and § 126, dealing with the necessity for recording certain loans in writing, wills or conveyances; and Title 51, § 2, dealing with the exemption of certain persons and property from ad valorem taxation, and § 619, dealing with the mortgage filing privilege or license tax; and also Act No. 629, General Acts of Alabama, Regular Session (1951) p. 1084,

approved September 4, 1951, dealing with the recordation of and effect of failure to record certain transfers of standing timber, trees and cutting rights.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 395. To make an additional appropriation to the State Board of Education from the funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 395, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. 395:

Amend Section 1 by inserting the following after the words "Two Million Dollars (\$2,000,000)":

"or such portion of these monies as shall be necessary to provide authorized tuition grants,"

Yeas 18; Nays 0.

Yeas:

Messrs.:	Cooper	Lowe	Roberts	
Adams	Eddins	Mathews	Robison (Montgomery)	
Allen	Givhan	McCain	Robison (Pickens)	
Brannan	James	McDow	Taylor	
Clark	Lolley	Montgomery		—18

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 242. To amend Title 13, Section 255, Code of Alabama 1940, as amended, pertaining to the appointment of deputy circuit solicitors for the Fifteenth Judicial Circuit and their salaries.

Also:

S. 279. To amend Sections 2 and 5 of Act No. 157, H. 126, Second Special Session 1963, the act establishing the University of South Alabama.

Also:

S. 253. To amend Code of Alabama 1940, Title 30, Section 54, which relates to the striking of juries in civil actions.

Also:

S. 121. To amend further Sections 110 and 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

Also:

S. 35. To amend Title 14, Section 217, Code of 1940.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 900. To amend Section 7 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, v. 1, p. 429) in relation to the compensation of the chairman and members of the board of revenue, court of county commissioners, or other like governing body of any county having a population of not less than 96,000 nor more than 106,000.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1129. TO ESTABLISH IN ANY COUNTY OF THIS STATE HAVING A POPULATION OF 600,000 OR MORE PEOPLE ACCORDING TO THE LAST OR ANY FUTURE FEDERAL CENSUS A BOARD TO REVIEW AND LICENSE THE EXHIBITING OF MOVIES TO MINORS UNDED EIGHTEEN (18) YEARS OF AGE; TO PROVIDE FOR A JUDICIAL DETERMINATION OF THE ISSUE OF FITNESS OF ANY MOVIE OR VIEW FOR VIEWING BY MINORS UNDER EIGHTEEN (18) YEARS OF AGE; AND TO PROVIDE PENALTIES.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 774. To provide for pretrial conferences in civil cases pending in the circuit courts of counties having populations of more than 600,000.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 76. Relating to all cities in the State of Alabama having populations of not less than 50,000 nor more than 60,000 according to the most recent federal decennial census; to provide for the operation of all such cities under the commission form of government; to regulate the powers, duties, qualifications, manner of nomination and election, terms of office, and compensation of the commissioners thereof, and to repeal the conflicting provisions of Act No. 112, Acts of Alabama, 1951, page 337.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 931. To amend Section 1 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, linen rental processing and storage facilities and so as to restore certain portions of said Section 1 inadvertently omitted therefrom by the most recent amendment thereof (Act No. 164 enacted at the 1964 Special Session), to restore certain other changes omitted by said amendment and to correct certain technical errors made by said amendment.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1117. Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 459. To provide for establishment and operation of a state tuberculosis sanatorium in Jackson County on the site of the abandoned highway convict camp at Scottsboro.

Also:

S. 99. To further promote the agricultural interests of the State by providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets; and to define the duties, powers, and authority of the Farmers' Market Authority in relation to such markets.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 365. To propose an amendment to the constitution relative to the establishment of water management districts.

Also:

S. 507. To amend Section 4 of Act No. 211, Acts of Alabama 1945, p. 331, as amended by Section 2, Act No. 271, Acts of Alabama 1947, p. 114 and recompiled as Title 22, Section 204(6), Code of Alabama 1940, Recompiled 1958, relating to the public health; providing an Advisory Council to the State Board of Health; and prescribing qualifications of the members of said Advisory Council.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 120. To amend Code of Alabama 1940, Title 30, Section 3 which relates to persons exempt from jury duty.

Also:

S. 572. To amend further Section 1 (j), Act No. 100, Second Special Session, Legislature of 1959, to provide for an alternative method of payment of sales tax on earth moving and construction equipment.

Also:

S. 36. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a depositor's account through error or mistake, or to induce any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so induce such bank; and to provide the penalties for violation of this act.

Also:

S. 10. Relating to required coverage in motor vehicle bodily injury liability insurance policies or contracts issued or delivered in this State requiring all such policies or contracts of insurance to include a provision insuring the insured and providing to pay the insured such sum

as he may be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle and providing for the insured to have the right to reject such coverage.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 49. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

S. 50. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Also:

S. 51. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 61. To create a solicitor's fund in each judicial circuit of Alabama where there does not now exist such fund; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in all circuit courts in such judicial circuits; and to authorize expenditures of said fund by the circuit solicitor for law enforcement and the discharge of the duties of his office.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 578. Relating to Coffee County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 725. To amend further Section 788 of Title 37, Code of Alabama 1940, as amended, relating to municipal planning commissions in all cities having populations of not less than 200,000 nor more than 300,000 according to the most recent federal decennial census.

Also:

H. 726. Further amending Section 781, Title 37, Code of Alabama 1940, as amended; prescribing certain qualifications for membership of the board of adjustment in cities of not less than 200,000 nor more than 300,000 population according to the most recent federal decennial census.

Also:

H. 1022. To provide clerk-hire allowance for certain officers of all counties having populations of not less than 21,850 nor more than 21,950.

Also:

H. 1041. Relating to counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; to provide an expense allowance for the judge of probate of any such county.

Also:

H. 1210. To apply only in counties having populations of not less than 32,000 nor more than 33,500; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 215, Acts of Alabama 1964, page 297, First Special Session.

Also:

H. 202. To amend Section 119 of Title 5, Code of Alabama, 1940.

Also:

H. 1002. To provide for the sale and transfer of the assets and facilities and for the merger and dissolution of public improvement authorities in counties having a population of 500,000 or more according to the last or any subsequent federal census which have been or may be created or organized under Chapter 3, of Title 50, of the 1958 Recompiled Code of Alabama (General Acts 1935, page 72, as amended by General Acts, 1956, 2nd Extra Session, page 359, and by General Acts, 1957, page 611); and to provide for the payment or assumption of all obligations of such authority or authorities in the event of any such merger, sale or dissolution.

Also:

H. 449. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Bear Creek Development Authority, for the development of Bear Creek, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes; to provide for the composition of the board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Bear Creek watershed, to determine

requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a non-foreclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of the Authority, of bonds and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion, Colbert, Franklin and Winston Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges of Probate; to provide that the Authority shall be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the State by the Authority; and to provide for certain annual reports by the Authority.

Also:

H. 1019. Relating to the development of the Elk River Watershed area; creating the Elk River Development Agency as an agency of the State of Alabama for such purpose; providing for its incorporation as a public body corporate; prescribing its authority, powers, duties, functions, and management; authorizing the agency to issue bonds, and the counties of Lauderdale and Limestone and municipalities therein to contribute funds and levy taxes for its use.

Also:

H. 1159. Proposing an Amendment to the Constitution of Alabama to authorize a district hospital tax in Baldwin County and the financing of hospitals and health facilities with bonds, warrants or certificates of indebtedness issued in anticipation of the collection of such tax.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 146. Relative to designating The Evergreen State Vocational Technical School, Ed E. Reid Memorial.

Also:

H. J. R. 147. Relative to conveying certain personal property to Dr. A. B. Moore.

Also:

H. J. R. 148 Relative to reapportioning the Legislature.

Also:

H. J. R. 149. Relative to expressing regret upon the death of Mr. William H. Drinkard.

Also:

H. J. R. 150. Relative to the National Blind Golfers Tournament.

Also:

H. J. R. 151. Relative to expressing regret upon the death of Mr. Robert Lee Almon.

Also:

H. J. R. 154. Relative to mourning the death of Mr. William H. Howle of Cleburne County.

Also:

H. J. R. 157. Relative to naming Senate Bill 14.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 9. Making an appropriation from the state treasury for the relief of James L. Campbell of Louisville, Alabama.

Also:

H. 28. To amend Section 492 of Title 2 of the Code of Alabama of 1940 relating to the expenditure of funds for compiling agricultural statistics.

Also:

H. 108. To amend Title 28 Section 49 of the Code of Alabama (1940), recompiled 1958, to provide that the Superintendent of Insurance shall not grant a certificate of authority to an insurance company to issue policies or make contracts of insurance if the name of such company is so similar to another insurance company already licensed or authorized to do business in this State as is likely to cause uncertainty or confusion, or until such company is duly qualified under the laws of this state to transact the business of insurance, and for other purposes.

Also:

H. 110. Relating to insurance companies and permitting companies to carry electronic and mechanical machines constituting data processing systems as admitted assets, and for other purposes.

Also:

H. 117. To amend further Section 388 of Title 51, Code of Alabama 1940, which relates to exemptions from state income tax; and to provide that the Act shall be given retroactive effect to December 31, 1964.

Also:

H. 145. To amend further Section 14 of Act No. 40, S. 4, Special Session 1956, an act which created and established the Court of General Sessions of Mobile County (Acts 1956, p. 328).

Also:

H. 297. Relating to Marion County; authorizing the Director of Conservation under certain conditions to promulgate certain rules and regulations for the taking of non-game fish from the public waters of Marion County by the use of wire baskets, levying certain taxes, prohibiting the sale of such fish, and prescribing penalties for violations of the provisions of this Act.

Also:

H. 298. To make an appropriation from the Marion County treasury for the relief of L. C. Wilson.

Also:

H. 330. Relating to non-resident hunting licenses; providing for new types and new charges of non-resident hunting licenses; to repeal Title 8, Sections 32 and 33, as amended, by Act No. 872, page 1369, Acts of Alabama, 1961 Regular Session of the Alabama Legislature.

Also:

H. 379. Further regulating purchasing by or for the use of the state highway department.

Also:

H. 399. To make an appropriation to the use of Watershed Associations and Watershed Conservancy Districts.

Also:

H. 402. To fix the compensation of certain State Officers.

Also:

H. 508. To provide further for the supplemental compensation of the Circuit Solicitor in every circuit composed of only one county having two Circuit Judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Also:

H. 688. To provide for service of process upon certain corporations.

Also:

H. 717. Relating to the office of the sheriff of counties having populations of not less than 61,000 nor more than 65,000; creating a civil service board of appeals, regulating tenure of employment for deputies, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Also:

H. 770. To make an appropriation from the state treasury for support and maintenance of certain special classes for children.

Also:

H. 914. To regulate going out of business and distress merchandise sales; providing for licensing such sales; providing for enforcement of the Act and prescribing penalties for violation.

Also:

H. 970. To amend Section 509 sub-section 23 of Title 52 of the Code of Alabama of 1940 as recompiled (Pertaining to State Fire College Advisory Committee).

Also:

H. 989. To fix the compensation of certain deputy sheriffs of Escambia County.

Also:

H. 990. Relating to Escambia County; regulating the placing, leaving, or dumping of garbage, refuse, rubbish, trash or debris along the public roads in such county; providing for the orderly deposit and disposal thereof; prescribing penalties; and placing certain duties on and granting certain powers and authority to the county governing body relative to providing for the orderly deposit and disposal of garbage, refuse, rubbish, trash, and debris.

Also:

H. 991. Relating to Escambia County, regulating the pay of members of the county board of equalization, and providing for the payment of additional compensation from the county treasury.

Also:

H. 972. To require the installation and maintenance of an improved system of indexing and recording documents affecting the title to property and other documents and recorded in the office of the Judge of Probate of any county having a population of not less than 125,000 nor more than 200,000 inhabitants according to the last or any subsequent federal census; to provide that said system shall constitute official and permanent records in each such county; to provide for a special recording fee of \$1.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in each such county; to provide for financing the initial installation of said system out of the said special recording fees and by the sale and issuance by each such county of its interest bearing warrants in anticipation of and payable solely out of said special recording fees; to require each such county to issue such warrants in an amount sufficient, when added to said special recording fees then on hand, to pay the costs of such initial installation; to authorize each such county to issue warrants in anticipation of and payable solely out of said special recording fees for the purpose of refunding any warrants issued hereunder; to authorize said special recording fees to be pledged for payment of the principal of and interest on any warrants issued hereunder; to provide that such warrants and the income therefrom shall be exempt from taxation and that such warrants may be used for investment of trust funds.

Also:

H. 1015. To amend Section 10, of Act No. 934 approved September 9, 1961, General Acts of Alabama, 1961, Vol. II, page 1506, entitled:

"To provide for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census; to more fully define the duty, authority and responsibility of the Tax Assessor of such counties in the matter of equalizing assessments of real property within such counties; to provide for the division of such counties into districts for the purpose of tax assessment records; to require that certain records be kept and maintained on a current basis by the Tax Assessor of such counties; to describe the manner in which such records are to be kept; to provide a time within which the equalization program required herein is to be initially completed; to provide for a continuous program of appraisal of real property within such counties; to provide for the assessments of improvements to real property within such counties; to prescribe penalties for failure to assess, or properly assess, improvements to real property within such counties; to prohibit the remittance of any such penalties except as provided for by this Act; to provide for the publishing of reports of the progress of the carrying out of the provisions of the Act; to provide for a portable set of assessment records for use by appraiser appointed by the Tax Assessor; to define the duties of the Board of Equalization in such counties in the matter of the equalization of assessments of real property; to provide that no outstanding obligations against the proceeds of any tax derived from assessments of real properties in such counties shall be impaired by the provisions of this Act; to provide for appeals of any assessment made by the Tax Assessor or ruling of the Board of Equalization of such counties; to provide for the necessary personnel, supplies, materials, and equipment to carry out the provisions of this Act and to provide the manner in which personnel are to be appointed in such counties; to provide for the severability of the provisions of the Act; to repeal all laws or parts of laws in conflict with the provisions of this Act."

Also:

H. 992. Regulating the compensation of registrars of Escambia County, and providing for payment of additional compensation by the county.

Also:

H. 1025. Relating to the office of commissioner of licenses in counties having populations of not less than 100,000, nor more than 115,000; amending Act No. 930, S. 1380, Regular Session 1961, so as to require the filing of transfer of ownership of motor vehicles; prescribing penalties for violations.

Also:

H. 1030. To provide that in every county of the State having a population of 500,000 or more, according to the last or any subsequent federal census, primaries for the nomination of candidates for certain offices, designated in this act, shall be held at the time specified in this act and the general election to fill such offices shall be held at the time specified in the act; to provide, with respect to such primaries, that the first primary shall be held on the first Tuesday following the 15th of July next preceding the general election of said officers and that the run-off primary, if necessary, shall be held on the fourth Tuesday following the first primary; to provide that the general election of each of such officers shall be held on the first Tuesday in the October next preceding the expiration of the term of the person then holding the office; to provide that this act shall apply to the offices held by the following: the Judges of the Circuit Court where only qualified electors of said county or only qualified electors of a part of said county are entitled to participate in the election of the Circuit Judges serving in the county; the Circuit Solicitor where only qualified electors of said county are entitled to participate in his election; the members of the governing body of the county; the Probate Judge; the Sheriff; the Tax Collector; the Tax Assessor; the County Treasurer; justices of the peace; constables; the deputy of any of the foregoing officers where such deputy is elected by the voters residing in a designated part of the county; any other county officer elected at or in an election at or in which only the qualified electors of said county or the qualified electors of a designated part of said county are entitled to vote; and any party officer elected at a primary election in which primary election of such party officer only the qualified electors of the county or a part of the county are entitled to vote.

Also:

H. 1034. To amend Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, to provide that it shall not be a requirement that the person appointed to fill a vacancy in the office of the Judge of the Cherokee County Court be an elector of Cherokee County, Alabama, but to require him to reside within the county during his term of office.

Also:

H. 1035. Relating to Cherokee County; fixing the compensation of certain county officers; further amending Act No. 162, S. 210, Regular Session 1943 (Local Acts 1943, page 78), as amended.

Also:

H. 1036. To amend Section 1 of Act No. 143, Acts of Alabama 1963, Volume 1, page 519, relating to the compensation of clerks, deputies and assistants to the circuit clerk of Cherokee County, Alabama.

Also:

H. 1052. To amend Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census.

Also:

H. 1066. Relating to counties having populations of not less than 21,000 nor more than 21,850, according to the last or any succeeding federal decennial census, providing for a secretary-stenographer for the Courts of such counties, prescribing the means of appointment, the duties and compensation therefor.

Also:

H. 1078. To amend Section 5 of Act No. 56 of the regular session of the Legislature of Alabama of 1953, as amended by Act No. 290 of the regular session of the Legislature of Alabama of 1959, approved October 30, 1959, being an Act levying additional privilege or license taxes in Tuscaloosa County, by adding an additional penalty for failure to make reports as required therein.

Also:

H. 1092. Relating to Baldwin County: To regulate further the salaries of the deputies of the sheriff of such county.

Also:

H. 1094. Relating to counties having populations of not less than 48,500 nor more than 49,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 1095. To provide for compensation of jurors in Baldwin County.

Also:

H. 1110. To amend Section 4 of Act No. 167, H. 422, approved September 23, 1959 (Acts 1956, v. 1, p. 690), an act creating a Board of Revenue for Cullman County, so as to provide an expense allowance for the associate members of such board.

Also:

H. 1112. To provide for the payment of expense allowances to members of the Board of Registrars of Cullman County from county funds.

Also:

H. 1113. Providing expense allowances for the Chairman and Members of the Board of Equalization of Cullman County payable from the county treasury.

Also:

H. 1118. Relating to Fayette County; further regulating the compensation of the county superintendent of education.

Also:

H. 1119. Relating to Fayette County; further regulating the compensation of members of the county board of education.

Also:

H. 1121. To provide for the assessment, collection, amount and use of additional taxes or fees as items of court costs in cases docketed in certain courts in Houston County.

Also:

H. 1136. To apply only in counties having populations of not less than 26,000 nor more than 27,000; regulating the compensation and allowances of members of the county board of education.

Also:

H. 1137. To confer discretionary authority upon the Board of Commissioners of Madison County to appropriate from the general funds of the county sums of money not to exceed five hundred dollars, for the payment of certain equitable and moral claims against the county, as the board may from time to time determine.

Also:

H. 1138. To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

Also:

H. 1139. To amend Act No. 207, S. 25 (Special Session, 1961, p. 2185) providing for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 110,000 nor more than 160,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Also:

H. 1145. Relating to the powers of cities having populations of not less than 200,000 and not more than 300,000 according to the most recent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances to permit certain commissions for the preservation and protection of the historic architectural character of the city and the promotion of historic districts as tourist attractions, to provide certain outdoor dining facilities in connection with such promotion; amending Section 3 of Act No. 356, H. 627, Regular Session 1963 (Acts 1963, p. 855).

Also:

H. 1158. To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof.

Also:

H. 1162. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Also:

H. 1163. To regulate further the meeting days and compensation of the county boards of registrars in all counties having populations of not less than 48,200 nor more than 49,200 according to the most recent federal decennial census.

Also:

H. 1176. To provide for the establishment of a civic center in the municipality wherein there is located the county seat of any county of the State having a population of more than 500,000 according to the last or any subsequent Federal Census (any such county being hereinafter referred to in this title as "the County" or "such County"); to provide for the creation of a public corporation, hereinafter called "the Authority", for the purpose of establishing, maintaining and operating such civic center; to provide that the Authority shall be governed by a Board of Directors of five members; to provide that one of the members of said Board shall be the Mayor or chief executive officer of the largest municipality in the County, that one of the members of the Board shall be the President or Chairman of the governing body of the County, that two of the members of the said Board shall be elected by the members of the House of Representatives from the County and the Senator or Senators in which the County is situated, and that the four members of the Board designated or elected as hereinabove provided shall elect the fifth member of the Board; that, if there shall be a branch court house in the County, one of the members of the Board shall be a resident of the area served by such branch court house; to provide that the Board of Directors shall elect the Chairman of the Board; to provide for an alternative method of filling any directorship which is required to be filled by an election in the manner above provided and which is not filled in that manner; to provide that the affairs of the Authority shall be managed and controlled by said Board of Directors; to define the powers of the Authority and of the Board of Directors; to confer upon the Authority the power of eminent domain; to authorize the Authority to construct, maintain, control, operate and manage a civic center in the municipality wherein the county seat of the County is situated; to authorize the Authority to construct, maintain, control, operate and manage the following to be situated in the civic center: (1) buildings to provide offices used by the State of Alabama or by any agency, subdivision or public corporation thereof or by the County or by one or more municipalities thereof for any municipal purpose otherwise authorized by law; (2) buildings to house or accommodate public facilities of the State of Alabama or of any agency, subdivision or public corporation thereof or of the County or of any one or more of said municipalities for any municipal purpose otherwise authorized by law; (3) streets, boulevards, walkways, parkways and parks; (4) monuments, statues and other structures beautifying the civic center; (5) community houses or meeting houses and auditoriums, arenas, convention halls and convention sites; and (6) music halls, art museums, places of recreation, art exhibits and other exhibits for the advancement of the humanities and the cultural development and edification of the citizens of the County and of the municipalities located therein; to authorize the County and any municipality thereof to lease, sell, donate or otherwise convey to the Authority real or personal property, including park properties, without the necessity of authorization by election of the qualified voters of the County or of the municipality, provided the governing body of the County, or the municipality, as the case may be, shall first determine that such lease, sale, donation, conveyance or appropriation will benefit the people of the County, or the municipality, or as the case may be; to authorize the Authority to borrow money and to issue revenue bonds as evidence of money so borrowed, which bonds shall be payable solely from taxes payable to the Authority by any act of the Legislature heretofore or hereafter adopted and from revenues of the Authority derived from the activities, operation and enterprises in which the Authority is authorized to engage; to authorize the Authority to mortgage its property to secure the payment of the principal and interest due on said bonds; to authorize the Authority to execute such contracts and other instruments as the Authority deems necessary to secure payment of the principal and interest due on said bonds; and to repeal all laws, whether general, special or local, inconsistent with the provisions of this act.

Also:

H. 1180. To provide that any city of the State having a population of more than 300,000 according to the last or any subsequent federal census shall have authority to provide for firemen and policemen of the city instruction and training in the disarming, neutralizing or rendering ineffective bombs or other explosives; to provide that any such city shall have the authority to enter into contracts with any person, firm or corporation, or the Federal Government or any State of the Union, or any agency or subdivision of the Federal Government or of any State providing for the city to pay a reasonable amount for instruction or training furnished to firemen and policemen of the city in the disarming, neutralizing or rendering ineffective bombs or other explosives; and to provide that any such city shall have authority to pay the expenses of firemen and policemen incurred in attending schools or courses providing for such instruction or training, and to carry firemen and policemen on a duty status, or pay status, while they are attending any such school or training course, or are en route to and from such school or course.

Also:

H. 1181. To provide that when in any city of the State having a population of more than 300,000, according to the last or any subsequent Federal census, a fireman is assigned, or called upon, by one or more of his superior officers in the fire department to quell a riot, disorder or disturbance or to otherwise preserve the peace, while engaged in such duty he shall have the authority to make arrests conferred upon policemen of the city by the laws of the State of Alabama or by the ordinances of the city, as such laws and ordinances may be amended.

Also:

H. 1182. To provide that in any city of the State having a population of more than 300,000, according to the last or any subsequent Federal census, an injury sustained by any member of the fire department of the city when he is on duty in said fire department and is engaged in quelling a riot, disorder, or other disturbance, or in otherwise preserving the peace of the city, shall be deemed to be an injury in the line of his duty in the fire department; and to provide that any member of the fire department so injured shall be entitled to the benefits provided by law for a fireman of the city injured in line of duty, and that the widow or dependents of any fireman dying as the result of any such injury shall be entitled to the pension or benefit payable to the widow or dependents of a fireman of such city killed in the line of duty.

Also:

H. 1189. To further amend Section 1 of Act No. 210, H. 699, Acts of Alabama 1955, (Vol. 1, p. 515), approved August 3, 1955, entitled "an Act to provide further for the compensation of the Circuit Solicitor in Circuits composed of one County and having not less than four nor more than nine Circuit Judges", as amended by Act No. 344, H. 127, Acts of Alabama, 1957, (Vol. 1, p. 456), approved August 20, 1957 and codified as Section 227 (1), Title 13, Code of Alabama of 1940, and as further amended by Act 117, H. 130, Acts of Alabama, 1964, approved August 24, 1964, page 177.

Also:

H. 1201. To apply only in counties having populations of not less than 24,800 nor more than 25,400, according to the most recent federal decennial census; regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of such counties.

Also:

H. 1205. To amend Section 1 of Act No. 173, H. 152, Regular Session 1961 (Acts 1961, p. 217), an act entitled "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 115,000 nor more than 165,000", so as to regulate further the per diem and the maximum amount of compensation payable to members of such jury commissions.

Also:

H. 1206. To provide an expense allowance for the judges of probate in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judge of probate.

Also:

H. 1207. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

H. 1208. To amend Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), an Act providing expense allowances for members of the governing bodies of counties having populations of not less than 19,500 nor more than 20,000, so as to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

H. 448. To propose an amendment to the Constitution of Alabama authorizing any municipality in Marion County that has issued or may hereafter issue securities pursuant to the amendment to the constitution proposed by Act No. 1 enacted at the Second Special Session of 1950 of the Legislature of Alabama to issue refunding securities, to invest (under certain conditions) the proceeds from the sale of such securities pending need therefor in certain specified investments, to issue securities for the combined purpose of refunding other such securities and of acquiring, constructing, extending or improving industrial or manufacturing plants or properties, to pledge certain revenues and taxes for payment of any such securities and to mortgage certain properties as security therefor; to provide that any securities issued by a municipality pursuant to said amendment may be general obligations of such municipality or may be limited as to the source of their payment; to provide that revenue bonds issued by a municipality under the provisions of such amendment shall not be considered indebtedness of such municipality for certain constitutional debt limit purposes; to specify and provide a limit upon the amount of indebtedness, other than that evidenced by revenue securities, that a municipality may incur under the provisions of said amendment; to specify that certain securities for which payment has been provided in a certain specified manner shall not be considered indebtedness of such municipality for certain constitutional debt limit purposes; to require an election in any such municipality as a condition precedent to its exercise of powers thereunder, except that if a majority of those voting in any such municipality on the question of the adoption of said amendment vote in favor thereof no further election in such municipality shall be required; and to grant to the Legislature the power to adopt laws in furtherance of the purposes of said amendment, notwithstanding any contrary provisions of Section 104 of the Constitution of Alabama.

Also:

H. 450. Proposing an amendment to the Constitution of Alabama relative to the development of the Bear Creek watershed area.

Also:

H. 1020. Proposing an amendment to the Constitution of Alabama relating to the formation of bodies corporate for the development of watershed areas.

Also:

H. 1076. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school district number one, Talladega County.

Also:

H. 1123. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing each municipality in the state to issue revenue bonds for the purpose of enlarging, improving or expanding any manufacturing, industrial or commercial project then owned by such municipality and acquired by it pursuant to the provisions of Act No. 756 (1951 Regular Session), as heretofore amended, or for the combined purpose of so enlarging, improving or expanding any such project and of refunding any revenue bonds theretofore issued by it under said Act No. 756, and providing that no such bonds shall be deemed to constitute bonds or indebtedness of the municipality by which they are issued within the meaning of Sections 222 and 225 of the Constitution if by their terms they are not made a charge on the general credit or tax revenues of such municipality and are made payable solely out of revenues to be derived by such municipality from the leasing of such project as so enlarged, improved or expanded.

Also:

H. 1193. Proposing an amendment to the Constitution of Alabama relating to Livingston in Sumter county, and ordering an election thereon.

Also:

H. 1194. Proposing an amendment to the Constitution of Alabama relating to Sumter County, and ordering an election thereon.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 52. To amend Section 1, Act No. 817, H. 298, Regular Session 1961, relating to supernumerary court reporters.

Also:

H. 1120. To amend and extend the corporation limits of the City of Russellville, Alabama.

Also:

H. 355. To revise and amend Section 74 (46) of Title 36 of the Code of Alabama, 1940, all of which relates to security required, suspension of licenses and registrations under the Motor Vehicle Safety-Responsibility Act.

Also:

H. 356. To revise and amend Section 74 (56) of Title 36 of the Code of Alabama, 1940, all of which relates to payments sufficient to satisfy requirements under the Motor Vehicle Safety-Responsibility Act.

Also:

H. 132. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Act 1947, p. 379) as amended.

Also:

H. 1001. To provide that in all counties having a population of more than 600,000 inhabitants according to the last or any succeeding census, it shall be unlawful for any person to file for record certain legal documents that do not have legibly printed, typewritten or stamped thereon the name and address of the person or persons who prepared such legal documents, and to provide that it shall be a misdemeanor for anyone to falsify said statement; and

To further provide that in all such counties, the judge of probate shall not be liable in damages or penalty for any error or mistake in the performance of the duties prescribed by this Act if committed in good faith.

Also:

H. 328. To amend Section 1 (j), Act No. 100, Second Special Session Legislature of 1959, so as to make the sale of tangible personal property to undertakers and morticians a sale at retail.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 512. To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 26,000 nor more than 27,000, according to the most recent federal decennial census.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 58; Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 61; Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 355. To appropriate \$5,000,000 conditionally out of the Alabama Special Educational Trust Fund during the fiscal year ending September 30, 1965, to be distributed among the State Vocational Technical Schools and Junior Colleges by the Alabama Trade School and Junior College Authority.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 355, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 355:

A BILL TO BE ENTITLED AN ACT

To appropriate \$5,000,000 conditionally out of the Alabama Special Educational Trust Fund during the fiscal year ending September 30, 1965, to be distributed among the State Vocational Technical Schools, the Alabama Institute for Deaf and Blind and the Partlow State School and Hospital.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby conditionally appropriated out of the Special Educational Trust Fund the sum of \$5,000,000, to be distributed as follows: the sum of \$450,000, shall be for the use of the Alabama Institute for Deaf and Blind; the sum of \$100,000 shall be used to construct a school building at the Partlow State School and Hospital—this is to be in addition to the \$400,000 previously appropriated out of bond money; the remainder shall be distributed among the State Vocational Technical Schools and Junior Colleges by the Alabama School and Col-

lege Authority, to be used for the construction and equipping of the State Vocational Technical Schools and Junior Colleges, these amounts to be in addition to any funds heretofore provided by law for the construction and equipping of State Vocational Technical Schools and Junior Colleges; provided, however, this appropriation is conditional upon the condition of the Alabama Special Educational Trust Fund and upon the approval of the Governor.

Section 2. The provisions of this Act are severable. If any sentence, clause, provision or portion of this Act be held unconstitutional or invalid, such holding shall not affect any other sentence, clause or provision of this Act, not in and of itself unconstitutional or invalid.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Allen	Givhan	Mathews	Robison (Pickens)
Carter	Hammond	McCain	Shelton
Clark	Hawkins	McDow	Taylor
Cooper	James	Montgomery	Wilson
Eddins	Lolley	Nichols	—22

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 394. To amend Act No. 201, H. 296, Acts of Alabama Regular Session 1955, page 492, relating to public school administration; and prescribing penalties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion Mr. Givhan, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 394, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 394:

Add the following after the period in the last sentence of "Section 8":

"As a condition precedent to the receipt of a tuition grant under this Act, the State Board of Education shall cause the parent or guardian of any child to whom a grant is made to enter into an enforceable agreement to reimburse the State Board of Education for the full amount of any grant made hereunder in the event of the enrollment of such child or children in any public school of this State after the receipt of a grant and within the school year for which the grant was made."

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dumas	James	Oden
Adams	Eddins	Lolley	Reynolds
Allen	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Robison (Montgomery)
Brannan	Givhan	McCain	Robison (Pickens)
Carter	Hammond	McDow	Shelton
Clark	Hawkins	Montgomery	Smith
Cooper	Horton	Nichols	Taylor

—31

Nays:

—0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Lolley, further consideration of the Bill, H. B. 720, was indefinitely postponed by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 277. To provide expense allowances for the circuit court judges of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit.

Also:

S. 278. To provide an expense allowance for the solicitor of the Fourteenth Judicial Circuit of Alabama payable from the general funds of the county constituting such circuit.

Also:

S. 291. To provide further for the payment and retirement of certain claims against the fine and forfeiture funds of counties having populations of not less than 51,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

S. 467. To apply only in counties having populations of not less than 19,500 nor more than 20,000; regulating the insuring of public school buildings and the contents thereof in such counties.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 35. To amend Title 14, Section 217, Code of 1940.

Also:

S. 104. To prescribe the time in which appeals may be made to the Supreme Court or to the Court of Appeals from decrees affecting the custody of children; and to provide that such cases so appealed shall be considered preferred cases.

Also:

S. 106. To provide for the appointment, removal, and discharge of a legal representative to manage public assistance payments for certain public assistance applicants or recipients, and to prescribe the duties of such legal representative.

Also:

S. 107. To adopt the Interstate Compact On Juveniles, to authorize the Governor to execute the Compact with other states; to designate the Commissioner, State Department of Pensions and Security, as Compact Administrator and to empower him to make supplementary agreements and arrangements for cooperative services on the Compact.

Also:

S. 108. To amend Section 20, Act No. 703, Acts of Alabama 1951, page 1211 (1223). approved September 5, 1951, by extending the penalty for false representation to include surplus commodities and other benefits administered by the Department of Pensions and Security.

Also:

S. 121. To amend further Sections 110 and 114, Title 22, Code of Alabama 1940, which relate to protection of the public against rabies.

Also:

S. 242. To amend Title 13, Section 255, Code of Alabama 1940, as amended, pertaining to the appointment of deputy circuit solicitors for the Fifteenth Judicial Circuit and their salaries.

Also:

S. 253. To amend Code of Alabama 1940, Title 30, Section 54, which relates to the striking of juries in civil actions.

Also:

S. 279. To amend Sections 2 and 5 of Act No. 157, H. 126, Second Special Session 1963, the act establishing the University of South Alabama.

Also:

S. 316. To amend Section 70 of Title 12 of Code of Alabama 1940, as amended.

Also:

S. 317. To provide a method of payment of member and employer contributions to the Employees' Retirement System for County Engineers participation in said System under provisions of Section 3 of Act No. 515, General Acts of Alabama 1945, page 734, approved July 9, 1945, as amended by Act No. 248, Acts of Alabama 1964, page 345, approved September 4, 1964; and to provide for contributions to the employing counties by the State Highway Department of amounts due for employer participation.

Also:

S. 391. To amend Title 13, Section 240, Code of Alabama 1940.

Also:

S. 429. To authorize the Director of Conservation to open a season in counties having a population of not less than 18,000 nor more than 19,400 for the hunting of female deer or unantlered male deer.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

H. 699. Relating to the public health; providing for the merging of Alabama State Hospitals, Partlow State School and Hospital, the Commission on Alcoholism, and the Division of Mental Hygiene of the State Board of Health; naming the new corporation the Alabama Mental Health Board; authorizing it to coordinate all operations and activities of the State related to mental health; creating a board of trustees for the new corporation and providing for its duties, powers, and authority; prescribing penalties for certain violations; providing for a State Mental Health Officer and prescribing his duties; providing for court review of final decisions of the Alabama Mental Health Board; providing for transfer of patients and records between elements of services; prescribing a report to the Governor and the Legislature; providing for budgetary support; and repealing laws in conflict herewith.

was taken up.

The Standing Committee on Public Health reported the following substitute for the Bill, to-wit:

Substitute for H. B. 699:

A BILL TO BE ENTITLED AN ACT

Relating to public health; providing for establishment of a state department of mental health, and to define and prescribe its functions, powers, and duties in relation to state mental health services and pro-

programs; abolishing the board of trustees of Alabama State Hospitals, the board of managers for Partlow State School and Hospital, the Commission on Alcoholism, and the divisions of Mental Health Planning and Mental Hygiene of the State Board of Health, and providing for continuance of their functions under the jurisdiction and control of the new department of mental health.

Be It Enacted by the Legislature of Alabama:

Section 1. Department of Mental Health.—There shall be created and established a department of the State government to be known as the Department of Mental Health. The department shall be composed of the Alabama Mental Health Board, the State Mental Health Officer, and such divisions and administrative sections as the Alabama Mental Health Board may direct. The principal offices of the department shall be located at the State capital. The department shall perform the functions hereinafter prescribed.

Section 2. The Alabama Mental Health Board.—The Governor and a board of thirteen trustees and their successors are hereby constituted a public corporation to be known as the Alabama Mental Health Board.

Section 3. Board of Trustees.—Trustees shall be appointed to serve six-year terms, ending on the thirtieth day of September, and two trustees shall be appointed every year except three trustees shall be appointed every sixth year. No trustee shall serve more than two consecutive six-year terms; provided, however, that trustees shall continue to serve until their successors have been appointed and approved.

Section 4. Trustees Appointed by Governor.—Upon the expiration of the term of office of a trustee, the Board shall nominate three persons to the Governor for his selection of one to fill the vacancy, and in case the office of a trustee becomes vacant for any cause, the Board shall nominate three persons to the Governor for his selection of one to fulfill the unexpired portion of his term. Seven of the trustees shall be regularly licensed physicians, three of whom shall be members of the State Committee of Public Health.

Section 5. Trustees Confirmed by the Senate.—The Senate of the State of Alabama shall at each session confirm or disaffirm the election of such trustees of the Alabama Mental Health Board as have been chosen since the last session of the Legislature, and in case of the disaffirmation by the Senate of the election of any trustee, the Board shall make another nomination to the Governor for Senate confirmation.

Section 6. Reimbursement of Trustees.—The trustees shall receive fifty dollars (\$50.00) per day and mileage expenses while attending meetings of the Board or while engaged in other official duties at the request of the Board.

Section 7. The Original Board.—The original Alabama Mental Health Board is established as follows: the seven members of the present board of the Alabama State Hospitals will be continued, two of whom shall serve for two years, two for four years, one for five years, and two for six years, as designated by the Governor; the State Board of Censors of the Medical Association of the State of Alabama shall nominate nine members of the State Committee of Public Health and submit a list to the Governor, from which list the Governor shall select three trustees, one to serve for one year, one for three years, and one for five years. The Legislative Interim Committee on Mental Health and Retardation shall nominate nine persons, none of whom shall be members of the Legislature or members of the Medical Association of the State of Alabama, and submit a list to the Governor from which the Governor shall select three trustees, one to serve for one year, one to serve for three years, and one to serve for five years. Seven members of the board of

trustees shall be regularly licensed physicians at least one of whom shall be a qualified psychiatrist. The Governor shall insure representation on the board of trustees of each congressional district in the State. As soon as practicable after this Act becomes law, all nominations shall be forwarded to the Governor. The Governor shall select the thirteen trustees and forward their names to the Senate for confirmation before the close of the 1965 regular session of the Alabama Legislature; all trustees shall take office on October 1, 1965.

Section 8. Transfer of Powers and Responsibilities.—On October 1, 1965, and when the board of trustees herein provided for assumes office, the Board of Trustees of Alabama State Hospital, the Board of Managers for Partlow State School and Hospital, the Commission on Alcoholism, and the Division of Mental Health Planning and the Division of Mental Hygiene of the State Board of Health are hereby abolished. It is hereby ordered, that as of October 1, 1965, Alabama State Hospitals and Partlow State School and Hospital shall become subject to the jurisdiction and control of the Alabama Mental Health Board.

(1) All duties, responsibilities, authority, power, assets, liabilities, contractual rights and obligations, and property rights, whether accruing or vesting in the abolished agencies before or after the effective date of this Act, are hereby vested in the Alabama Mental Health Board.

(2) Any section of the Code of Alabama or any Act of Alabama presently valid and duly referring to any one or more of the abolished agencies, unless the context requires a different meaning, shall be taken to mean the Alabama Mental Health Board.

(3) Any regulation of the abolished agencies is hereby made a regulation of the Alabama Mental Health Board and shall continue in force until repealed or amended by the Board.

(4) Employees of the abolished agencies holding positions on September 30, 1965, shall be employees of the Alabama Mental Health Board on October 1, 1965, provided, however, that the State Mental Health Officer may combine or abolish positions as necessary to carry out the purposes of this Act.

(5) All appropriations, accounts or funds of the abolished agencies are hereby appropriated as of October 1, 1965, to the Alabama Mental Health Board.

(6) All offices, services, programs or other activities of the abolished agencies are hereby made offices, services, programs or other activities of the Alabama Mental Health Board, and the Board is hereby authorized to reorganize such offices, services, programs, or other activities so as to achieve economy and efficiency; and the said Alabama Mental Health Board shall establish bureaus, divisions, hospitals, clinics, mental health centers, homes for the mentally retarded, or other facilities for providing mental health services, if it finds such action to be in the public interest.

(7) All purchases and contracts of the department shall be subject to the procedures and limitations prescribed by law for other state departments and agencies unless otherwise expressly provided in this Act.

Section 9. Mental Health Services; Definitions.—The Alabama Mental Health Board is hereby authorized to act in any prudent way to provide mental health services for the people of Alabama. As used in this Act "mental health services" are defined to be diagnosis of, treatment of, rehabilitation for, follow-up care of, prevention of, and research into the causes of all forms of mental or emotional illness, including but not limited to alcoholism, drug addiction, epilepsy, or mental retardation. As used in this Act "patients" is defined as those persons afflicted with

mental or emotional illness; and "Board" means Alabama Mental Health Board.

Section 10. Additional Powers of the Board.—The Alabama Mental Health Board is given hereby the following additional and cumulative powers: (1) It is authorized and directed to set up State plans for the purpose of controlling and treating any and all forms of mental and emotional illness, and shall divide the State into regions, districts, areas, or zones, which need not be geographic areas, but shall be areas for the purpose of establishing priorities and programs, and for organizational and administrative purposes.

(2) It is designated and authorized to supervise, coordinate and establish standards for all operations and activities of the State related to mental health and the providing of mental health services; and it is authorized to receive and administer any funds available from any source for the purpose of acquiring building sites for, constructing, equipping, maintaining, or operating mental health centers or facilities or institutions for the purpose of providing mental health services; provided, however, that the State Board of Health is designated as the single and sole State agency to receive and administer any Federal funds available under Public Law 88-164, approved October 31, 1963, or any other Federal funds which are available now, or which may become available in the future, for construction of facilities for providing mental health services.

(3) It is hereby designated as the single State agency of the State of Alabama to receive and administer any and all funds available from any source for the purpose of training, research, and education in regard to all forms of mental and emotional illness.

(4) It is hereby authorized to enter into contracts with any other State or Federal agency, or with any private person, organization, or group capable of contracting, if it finds such action to be in the public interest.

(5) It may, in its discretion, develop a program for the care of aged patients and operate, in any area of the State, nursing homes which shall care for and treat patients that require primary treatment for their geriatric infirmities; such nursing homes operated by the Board shall meet the standards duly promulgated by the State Board of Health and shall be licensed under its authority. The Board is further authorized to transfer such geriatric patients to private nursing homes if it finds such action to be in the public interest.

(6) It is hereby authorized to appoint advisory councils as needed from among those leaders in disciplines concerned with mental and emotional illness, or from the public generally, to advise it in regard to plans, programs, and regulations. The State Mental Health Officer is ex-officio chairman of these advisory councils and shall call meetings when advise is needed or when a majority of any such advisory council requests a meeting.

(7) The members of such advisory councils shall be entitled to be reimbursed for mileage expenses, not to exceed the amount prescribed by State law for attending meetings called by the State Mental Health Officer. Such sums as are necessary to meet these mileage expenses are hereby appropriated from the Alabama Special Mental Health Fund and shall be paid on warrants signed by the State Mental Health Officer.

(8) The Alabama Mental Health Board is hereby authorized and directed to establish and promulgate reasonable rules, policies, orders, and regulations providing details of carrying out its duties and responsibilities, including by-laws for its own organization, government, and procedures.

(9) It is authorized and directed to purchase or lease land or acquire property by eminent domain, and to purchase, lease, rent, sell, exchange, or otherwise transfer property, land, buildings, or equipment in order to carry out its duties and responsibilities.

(10) It is authorized and directed to determine reasonable fees for services which it makes available to the public, and it shall collect such fees unless, on application and investigation, it is determined that the person receiving such services is unable to pay the established fee, and, in such case, such amount as he is able to pay will be collected.

(11) It is authorized and directed to establish and promulgate reasonable minimum standards for the construction and operation of facilities, including reasonable minimum standards for the admission, diagnosis, care, treatment, transfer of patients and their records, and also including reasonable minimum standards for providing day care, outpatient care, emergency care, inpatient care and follow-up care when such care is provided for persons with mental or emotional illness.

(12) It is authorized to inspect any institution or facility providing any kind of treatment or care for those suffering from mental or emotional illness and shall certify any such institution or facility which meets its minimum standards to the State Board of Health.

(13) The State Board of Health may issue a license to operate such facilities or institutions as may be established under the provisions of this Act upon recommendation of the Board and upon certification by said Board that such facility or institution is in compliance with rules and regulations promulgated by said Board and approved by said State Board of Health.

(14) It is authorized to establish and collect reasonable fees for necessary inspection services incidental to certification of compliance.

(15) It is authorized and directed to hold such meetings as are convenient and necessary to carry out its duties and responsibilities at such places as it may direct, and a quorum consisting of any seven members of the board of trustees shall be competent to act at all regular or special meetings. Special meetings may be called by the Chairman of the Board, by the State Mental Health Officer, or by any seven members of the Board upon giving a week's notice to every member of the Board, and stating in the call the purpose of the meeting.

(16) It is authorized and directed to provide hearings for anyone claiming to be damaged by decisions of its employees or agents and it may delegate the holdings of such hearings to hearing committees consisting of any three or more of its members. When a decision of a said hearing committee is adopted by the board, the said decision then and there becomes a final decision and may be reviewed in the circuit court only upon a finding of the court that such decision was arbitrary, illegal, or capricious.

(17) It may, upon approval of the Attorney General, file and prosecute suits in any court in the name of the Alabama Mental Health Board to enforce this Act and such rules and regulations as may be duly promulgated under authority of this Act, such suits may include actions for an injunction to restrain any person, agency, or organization from violating any provision of this Act or any rule or regulation duly promulgated under authority of this Act; and it may also, with the approval of the Attorney General, authorize its legal counsel to attend to any other litigation which concerns the Board.

(18) It is authorized to accept gifts, trusts, bequests, grants, endowments, or transfers of property of any kind, and shall prudently manage such property in accordance with the terms of such gifts or transfers of property and in accordance with sound financial principles.

(19) It is hereby authorized and directed to receive moneys coming to it by ways of fees for services or by appropriations and shall prudently manage such moneys in accordance with sound financial principles.

(20) The board is hereby authorized to establish personnel policies and salary schedules for all employees of the Alabama Mental Health Board and such policies and schedules shall not be limited by Title 41, Section 152, Code of Alabama 1940, as amended, or any other provisions of law. Such personnel policies may be established so as to include certain positions under the State merit system law and so as to exclude other positions; however, employees of, and positions in, the abolished agencies under the State merit system law prior to the effective date of this Act shall continue under such law thereafter unless any such position be abolished by the Board, and employees and positions not under such law prior to the effective date of this Act shall continue not under such law after the effective date of this Act until changed by the Board.

Section 11. The State Mental Health Officer; Duties; Powers.—The Alabama Mental Health Board shall elect an executive officer to be known as the State Mental Health Officer and shall fix his term of office and salary, such salary to be established without regard to any limitation now, or hereafter, established by law unless such law specifically refers to such State Mental Health Officer. The said State Mental Health Officer so elected shall, under the direction of the Alabama Mental Health Board appoint all officers and employees of the Board, or he may authorize any superintendent, division or bureau head, or other administrator, to select with his approval all staff members and employees, and shall fix the salaries of the officers and employees of the Alabama Mental Health Board without regard to any limitation established by law, unless such law passed hereafter shall refer to the particular officer or employee of the Alabama Mental Health Board. The said State Mental Health Officer shall act for the Alabama Mental Health Board and shall carry out the policies of the Board when it is not in session, exercising all its powers and shall report his actions to said Board for confirmation or modification. The State Mental Health Officer may be removed from office by a majority of the Board for justifiable cause fully set forth in the minutes of their meeting. The State Mental Health Officer shall exercise supervision over all the officers and employees of the Alabama Mental Health Board, and should any such officer or employee fail to perform faithfully any of the duties which are lawfully prescribed for him, or if he fails or refuses to observe or conform to any rule, regulation, or policy of the Alabama Mental Health Board, the State Mental Health Officer may remove him from office.

Section 12. Certification or License Required.—No person, partnership, corporation, or association of persons shall operate a facility or institution for the care or treatment of any kind of mental or emotional illness as defined in this Act, without being certified by the Board or licensed by the State Board of Health; provided that nothing herein shall be construed so as to require a duly authorized physician, psychiatrist, psychologist, social worker, or Christian Science Practitioner to obtain a license for treatment of patients in his private office, unless he keeps two or more patients in his office for continuous periods of twenty-four hours or more in one week.

Section 13. Legal Division.—The Board may establish a legal division which shall be under the direction of an assistant attorney general, and it shall be his duty to conduct the legal affairs of the Board. With the approval of the Board, and of the Attorney General, he may appoint other attorneys to assist him who shall also be assistant attorneys general, and, for particular litigation, with the consent of the Attorney

General and the Board, special counsel may be appointed. The compensation of any such attorney shall be paid from the funds of the Board.

Section 14. Penalties.—Any person, partnership, corporation, or association that violates the provisions of this Act or any regulation promulgated under authority delegated to the Alabama Mental Health Board, and after due notice served by registered mail or personally, shall be liable to pay a penalty of \$50.00 per day for each day of such violation. Any officer or any employee of the Alabama Mental Health Board, or any other person, who shall allow, assist, or abet in the escape of any patient confined by court action under the authority of the Alabama Mental Health Board, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine not exceeding one hundred dollars. He may be punished by imprisonment in the county jail or at hard labor for the county, not exceeding ninety days, the imprisonment to be at the discretion of the judge trying or presiding over the trial of the case.

Section 15. Court Review.—Any person who has been legally damaged by a final order or decision of the Alabama Mental Health Board may have a review of such decision in the circuit court, sitting in equity, provided a sworn bill is filed within fifteen days of the date of such order or decision, charging that such order or decision was arbitrary, illegal, or capricious; and provided further that security be given to cover court costs and costs of preparing the record of the proceedings before the Alabama Mental Health Board, should the said order be upheld by the court.

Section 16. Commitment Forms.—The Alabama Mental Health Board shall prescribe forms for probate judges to use which would give information deemed necessary by the Board about prospective patients.

Section 17. Report to the Legislature.—As near after the end of the fiscal year as possible the Board shall print and send to the Governor a report consisting of activities of the Board, needs of facilities under its jurisdiction, mental health conditions in the State with respect to the extent to which needs are being met, plans for the future, financial report for the preceding year, and the names and addresses of the trustees; and a sufficient number of copies shall be printed to distribute to the members of the Legislature.

Section 18. Budget.—Every budget period the board shall present to the Governor a request for funds based on projected needs for mental health services in the State, together with a budget showing the expenditure of such requested funds; and the Governor shall include in his appropriation bill a request for funds to meet the financial needs of the Board.

Section 19. Funds for Essential Functions.—Any State supported facility under the jurisdiction of the Board providing services requiring on-premises residence of patients, including but not limited to Bryce Hospital, Searcy Hospital, and Partlow State School and Hospital, shall be considered an essential function of the State, and funds allocated for the support of said State supported facilities shall not be subject to proration at any time a deficit occurs in the general fund.

Section 20. Fees and Income.—All fees, receipts, and income of the Department of Mental Health shall be paid into the state treasury to the credit of a special fund, all of which is hereby appropriated for the support, administrative control, operation, maintenance, repairs, and improvements of the facilities, institutions, and services of the department and may be expended in the manner and for the purposes determined by the Board.

Section 21. Repealer.—All laws or parts of laws, local, special, or general, in conflict with this Act are hereby specifically repealed.

Section 22. Severability.—The provisions of this Act are hereby declared to be severable. Should any section or provision hereof be held invalid or unenforceable by a court of competent jurisdiction, said holding shall not invalidate or render unenforceable the remaining provisions or sections hereof.

Section 23. Effective Date.—This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. However, no changes in the operation of the Alabama State Hospitals, Partlow State School and Hospital, the Commission on Alcoholism, or the Division of Mental Hygiene are to be affected pursuant to this Act before October 1, 1965.

Mr. Cooper then offered the following substitute for the Committee substitute, to-wit:

Substitute for Committee Substitute for H. B. 699:

A BILL
TO BE ENTITLED
AN ACT

Relating to public health; providing for establishment of a state department of mental health, and to define and prescribe its functions, powers, and duties in relation to state mental health services and programs; abolishing the board of trustees of Alabama State Hospitals, the board of managers for Partlow State School and Hospital, the Commission on Alcoholism, and the divisions of Mental Health Planning and Mental Hygiene of the State Board of Health, and providing for continuance of their functions under the jurisdiction and control of the new department of mental health.

Be It Enacted by the Legislature of Alabama:

Section 1. Department of Mental Health.—There shall be created and established a department of the State government to be known as the Department of Mental Health. The department shall be composed of the Alabama Mental Health Board, the State Mental Health Officer, and such divisions and administrative sections as the Alabama Mental Health Board may direct. The principal offices of the department shall be located at the State capital. The department shall perform the functions hereinafter prescribed.

Section 2. The Alabama Mental Health Board.—The Governor and a board of thirteen trustees and their successors are hereby constituted a public corporation to be known as the Alabama Mental Health Board.

Section 3. Board of Trustees.—Trustees shall be appointed to serve six-year terms, ending on the thirtieth day of September, and two trustees shall be appointed every year except three trustees shall be appointed every sixth year. No trustee shall serve more than two consecutive six-year terms; provided, however, that trustees shall continue to serve until their successors have been appointed and approved.

Section 4. Trustees Appointed by Governor.—Upon the expiration of the term of office of a trustee, the Board shall nominate three persons to the Governor for his selection of one to fill the vacancy, and in case the office of a trustee becomes vacant for any cause, the Board shall nominate three persons to the Governor for his selection of one to fulfill the unexpired portion of his term. Seven of the trustees shall be regularly licensed physicians, three of whom shall be members of the State Committee of Public Health.

Section 5. Trustees Confirmed by the Senate.—The Senate of the State of Alabama shall at each session confirm or disaffirm the election

of such trustees of the Alabama Mental Health Board as have been chosen since the last session of the Legislature, and in case of the disaffirmation by the Senate of the election of any trustees, the Board shall make another nomination to the Governor for Senate confirmation.

Section 6. Reimbursement of Trustees.—The trustees shall receive fifty dollars (\$50.00) per day and mileage expenses while attending meetings of the Board or while engaged in other official duties at the request of the Board.

Section 7. The Original Board.—The original Alabama Mental Health Board is established as follows: the seven members of the present board of the Alabama State Hospitals will be continued, two of whom shall serve for two years, two for four years, one for five years, and two for six years, as designated by the Governor; the State Board of Censors of the Medical Association of the State of Alabama shall nominate nine members of the State Committee of Public Health and submit a list to the Governor, from which list the Governor shall select three trustees, one to serve for one year, one for three years, and one for five years. The Legislative Interim Committee on Mental Health and Retardation shall nominate nine persons, none of whom shall be members of the Legislature or members of the Medical Association of the State of Alabama, and submit a list to the Governor from which the Governor shall select three trustees, one to serve for one year, one to serve for three years, and one to serve for five years. Seven members of the board of trustees shall be regularly licensed physicians at least one of whom shall be a qualified psychiatrist. The Governor shall insure representation on the board of trustees of each congressional district in the State. As soon as practicable after this Act becomes law, all nominations shall be forwarded to the Governor. The Governor shall select the thirteen trustees and forward their names to the Senate for confirmation before the close of the 1965 regular session of the Alabama Legislature; all trustees shall take office on October 1, 1965.

Section 8. Transfer of Powers and Responsibilities.—On October 1, 1965, and when the board of trustees herein provided for assumes office, the Board of Trustees of Alabama State Hospitals, the Board of Managers for Partlow State School and Hospital, the Commission on Alcoholism, and the Division of Mental Health Planning and the Division of Mental Hygiene of the State Board of Health are hereby abolished. It is hereby ordered, that as of October 1, 1965, Alabama State Hospitals and Partlow State School and Hospital shall become subject to the jurisdiction and control of the Alabama Mental Health Board.

(1) All duties, responsibilities, authority, power, assets, liabilities, contractual rights and obligations, and property rights, whether accruing or vesting in the abolished agencies before or after the effective date of this Act, are hereby vested in the Alabama Mental Health Board.

(2) Any section of the Code of Alabama or any Act of Alabama presently valid and duly referring to any one or more of the abolished agencies, unless the context requires a different meaning, shall be taken to mean the Alabama Mental Health Board.

(3) Any regulation of the abolished agencies is hereby made a regulation of the Alabama Mental Health Board and shall continue in force until repealed or amended by the Board.

(4) Employees of the abolished agencies holding positions on September 30, 1965, shall be employees of the Alabama Mental Health Board on October 1, 1965, provided, however, that the State Mental Health Officer may combine or abolish positions as necessary to carry out the purposes of this Act.

(5) All appropriations, accounts or funds of the abolished agencies are hereby appropriated as of October 1, 1965, to the Alabama Mental Health Board.

(6) All offices, services, programs or other activities of the abolished agencies are hereby made offices, services, programs or other activities of the Alabama Mental Health Board, and the Board is hereby authorized to reorganize such offices, services, programs, or other activities so as to achieve economy and efficiency; and the said Alabama Mental Health Board shall establish bureaus, divisions, hospitals, clinics, mental health centers, homes for the mentally retarded, or other facilities for providing mental health services, if it finds such action to be in the public interest.

(7) All purchases and construction and supply contracts of the department shall be made or let on a competitive bidding basis, and may be made through the State Purchasing Agent or otherwise, as the Alabama Mental Health Board may direct.

Section 9. Mental Health Services; Definitions.—The Alabama Mental Health Board is hereby authorized to act in any prudent way to provide mental health services for the people of Alabama. As used in this Act "mental health services" are defined to be diagnosis of, treatment of, rehabilitation for, follow-up care of, prevention of, and research into the causes of all forms of mental or emotional illness, including but not limited to alcoholism, drug addiction, epilepsy, or mental retardation. As used in this Act "patients" is defined as those persons afflicted with mental or emotional illness; and "Board" means Alabama Mental Health Board.

Section 10. Additional Powers of the Board.—The Alabama Mental Health Board is given hereby the following additional and cumulative powers: (1) It is authorized and directed to set up State plans for the purpose of controlling and treating any and all forms of mental and emotional illness, and shall divide the State into regions, districts, areas, or zones, which need not be geographic areas, but shall be areas for the purpose of establishing priorities and programs, and for organizational and administrative purposes.

(2) It is designated and authorized to supervise, coordinate, and establish standards for all operations and activities of the State relative to mental health and the providing of mental health services; and it is authorized to receive and administer any funds available from any source for the purpose of acquiring building sites for, constructing, equipping, maintaining, or operating mental health centers or facilities or institutions for the purpose of providing mental health services; provided, however, that the State Board of Health is designated as the single and sole State agency to receive and administer any Federal funds available under Public Law 88-164, approved October 31, 1963, or any other Federal funds which are available now, or which may become available in the future, for construction of facilities for providing mental health services.

(3) It is hereby designated as the single State agency of the State of Alabama to receive and administer any and all funds available from any source for the purpose of training, research, and education in regard to all forms of mental and emotional illness.

(4) It is hereby authorized to enter into contracts with any other state or Federal agency, or with any private person, organization, or group capable of contracting, if it finds such action to be in the public interest.

(5) It may, in its discretion, develop a program for the care of aged patients and operate, in any area of the State, nursing homes which

shall care for and treat patients that require primary treatment for their geriatric infirmities; such nursing homes operated by the Board shall meet the standards duly promulgated by the State Board of Health and shall be licensed under its authority. The Board is further authorized to transfer such geriatric patients to private nursing homes if it finds such action to be in the public interest.

(6) It is hereby authorized to appoint advisory councils as needed from among those leaders in disciplines concerned with mental and emotional illness, or from the public generally, to advise it in regard to plans, programs, and regulations. The State Mental Health Officer is ex-officio chairman of these advisory councils and shall call meetings when advise is needed or when a majority of any such advisory council requests a meeting.

(7) The members of such advisory councils shall be entitled to be reimbursed for mileage expenses, not to exceed the amount prescribed by State law for attending meetings called by the State Mental Health Officer. Such sums as are necessary to meet these mileage expenses are hereby appropriated from the Alabama Special Mental Health Fund and shall be paid on warrants signed by the State Mental Health Officer.

(8) The Alabama Mental Health Board is hereby authorized and directed to establish and promulgate reasonable rules, policies, orders, and regulations providing details of carrying out its duties and responsibilities, including by-laws for its own organization, government, and procedures.

(9) It is authorized and directed to purchase or lease land or acquire property by eminent domain, and to purchase, lease, rent, sell, exchange, or otherwise transfer property, land, buildings, or equipment in order to carry out its duties and responsibilities.

(10) It is authorized and directed to determine reasonable fees for services which it makes available to the public, and it shall collect such fees unless, on application and investigation, it is determined that the person receiving such services is unable to pay the established fee, and, in such case, such amount as he is able to pay will be collected.

(11) It is authorized and directed to establish and promulgate reasonable minimum standards for the construction and operation of facilities, including reasonable minimum standards for the admission, diagnosis, care, treatment, transfer of patients and their records, and also including reasonable minimum standards for providing day care, out-patient care, emergency care, inpatient care and follow-up care when such care is provided for persons with mental or emotional illness.

(12) It is authorized to inspect any institution or facility providing any kind of treatment or care for those suffering from mental or emotional illness and shall certify any such institution or facility which meets its minimum standards to the State Board of Health.

(13) The State Board of Health may issue a license to operate such facilities or institutions as may be established under the provisions of this Act upon recommendation of the Board and upon certification by said Board that such facility or institution is in compliance with rules and regulations promulgated by said Board and approved by said State Board of Health.

(14) It is authorized to establish and collect reasonable fees for necessary inspection services incidental to certification of compliance.

(15) It is authorized and directed to hold such meetings as are convenient and necessary to carry out its duties and responsibilities at such places as it may direct, and a quorum consisting of any seven

members of the board of trustees shall be competent to act at all regular or special meetings. Special meetings may be called by the Chairman of the Board, by the State Mental Health Officer, or by any seven members of the Board upon giving a week's notice to every member of the Board, and stating in the call the purpose of the meeting.

(16) It is authorized and directed to provide hearings for anyone claiming to be damaged by decisions of its employees or agents and it may delegate the holdings of such hearings to hearing committees consisting of any three or more of its members. When a decision of a said hearing committee is adopted by the board, the said decision then and there becomes a final decision and may be reviewed in the circuit court only upon a finding of the court that such decision was arbitrary, illegal, or capricious.

(17) It may, upon approval of the Attorney General, file and prosecute suits in any court in the name of the Alabama Mental Health Board to enforce this Act and such rules and regulations as may be duly promulgated under authority of this Act, such suits may include actions for an injunction to restrain any person, agency, or organization from violating any provision of this Act or any rule or regulation duly promulgated under authority of this Act; and it may also, with the approval of the Attorney General, authorize its legal counsel to attend to any other litigation which concerns the Board.

(18) It is authorized to accept gifts, trusts, bequests, grants, endowments, or transfers of property of any kind, and shall prudently manage such property in accordance with the terms of such gifts or transfers of property and in accordance with sound financial principles.

(19) It is hereby authorized and directed to receive moneys coming to it by way of fees for services or by appropriations and shall prudently manage such moneys in accordance with sound financial principles.

(20) The board is hereby authorized to establish personnel policies and salary schedules for all employees of the Alabama Mental Health Board and such policies and schedules shall not be limited by Title 41, Section 152, Code of Alabama 1940, as amended, or any other provisions of law. Such personnel policies may be established so as to include certain positions under the State merit system law and so as to exclude other positions; however, employees of, and positions in, the abolished agencies under the State merit system law prior to the effective date of this Act shall continue under such law thereafter unless any such position be abolished by the Board, and employees and positions not under such law prior to the effective date of this Act shall continue not under such law after the effective date of this Act until changed by the Board.

Section 11. The State Mental Health Officer; Duties; Powers.—The Alabama Mental Health Board shall elect an executive officer to be known as the State Mental Health Officer and shall fix his term of office and salary, such salary to be established without regard to any limitation now, or hereafter, established by law unless such law specifically refers to such State Mental Health Officer. The said State Mental Health Officer so elected shall, under the direction of the Alabama Mental Health Board appoint all officers and employees of the Board, or he may authorize any superintendent, division or bureau head, or other administrator, to select with his approval all staff members and employees, and shall fix the salaries of the officers and employees of the Alabama Mental Health Board without regard to any limitation established by law, unless such law passed hereafter shall refer to the particular officer or employee of the Alabama Mental Health Board. The said State Mental Health Officer shall act for the Alabama Mental Health Board and shall carry out the policies of the Board when it is

not in session, exercising all its powers and shall report his actions to said Board for confirmation or modification. The State Mental Health Officer may be removed from office by a majority of the Board for justifiable cause fully set forth in the minutes of their meeting. The State Mental Health Officer shall exercise supervision over all the officers and employees of the Alabama Mental Health Board, and should any such officer or employee fail to perform faithfully any of the duties which are lawfully prescribed for him, or if he fails or refuses to observe or conform to any rule, regulation, or policy of the Alabama Mental Health Board, the State Mental Health Officer may remove him from office.

Section 12. Certification or License Required.—No person, partnership, corporation, or association of persons shall operate a facility or institution for the care or treatment of any kind of mental or emotional illness as defined in this Act, without being certified by the Board or licensed by the State Board of Health; provided that nothing herein shall be construed so as to require a duly authorized physician, psychiatrist, psychologist, social worker, or Christian Science Practitioner to obtain a license for treatment of patients in his private office, unless he keeps two or more patients in his office for continuous periods of twenty-four hours or more in one week.

Section 13. Legal Division.—The Board may establish a legal division which shall be under the direction of an assistant attorney general, and it shall be his duty to conduct the legal affairs of the Board. With the approval of the Board, and of the Attorney General, he may appoint other attorneys to assist him who shall also be assistant attorneys general, and, for particular litigation, with the consent of the Attorney General and the Board, special counsel may be appointed. The compensation of any such attorney shall be paid from the funds of the Board.

Section 14. Penalties.—Any person, partnership, corporation, or association that violates the provisions of this Act or any regulation promulgated under authority delegated to the Alabama Mental Health Board, and after due notice served by registered mail or personally, shall be liable to pay a penalty of \$50.00 per day for each day of such violation. Any officer or any employee of the Alabama Mental Health Board, or any other person, who shall allow, assist, or abate in the escape of any patient confined by court action under the authority of the Alabama Mental Health Board, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine not exceeding one hundred dollars. He may be punished by imprisonment in the county jail or at hard labor for the county, not exceeding ninety days, the imprisonment to be at the discretion of the judge trying or presiding over the trial of the case.

Section 15. Court Review.—Any person who has been legally damaged by a final order or decision of the Alabama Mental Health Board may have a review of such decision in the circuit court, sitting in equity, provided a sworn bill is filed within fifteen days of the date of such order or decision, charging that such order or decision was arbitrary, illegal, or capricious; and provided further that security be given to cover court costs and costs of preparing the record of the proceedings before the Alabama Mental Health Board, should the said order be upheld by the court.

Section 16. Commitment Forms.—The Alabama Mental Health Board shall prescribe forms for probate judges to use which would give information deemed necessary by the Board about prospective patients.

Section 17. Report to the Legislature.—As near after the end of the fiscal year as possible the Board shall print and send to the Governor a report consisting of activities of the Board, needs of facilities under its jurisdiction, mental health conditions in the State with respect to the extent to which needs are being met, plans for the future, financial

report for the preceding year, and the names and addresses of the trustees; and a sufficient number of copies shall be printed to distribute to the members of the Legislature.

Section 18. Budget.—Every budget period the Board shall present to the Governor a request for funds based on the projected needs for mental health services in the State, together with a budget showing the expenditure of such requested funds; and the Governor shall include in his appropriation bill a request for funds to meet the financial needs of the Board.

Section 19. Funds for Essential Functions.—Any State supported facility under the jurisdiction of the Board providing services requiring on-premises residence of patients, including but not limited to Bryce Hospital, Searcy Hospital, and Partlow State School and Hospital, shall be considered an essential function of the State, and funds allocated for the support of said State supported facilities shall not be subject to pro-ration at any time a deficit occurs in the general fund.

Section 20. Fees and Income.—All fees, receipts, and income of the Department of Mental Health shall be paid over to a departmental treasurer, to be selected by the Board, or to a bank in lieu of the treasurer, as the Board may direct, and may be expended as authorized by the Board for support, maintenance, and operation of the state hospitals, Partlow State School and Hospital, and other institutions, services, and programs subject to the jurisdiction and control of the Board.

Section 21. Repealer.—All laws or parts of laws, local, special, or general, in conflict with this Act are hereby specifically repealed.

Section 22. Severability.—The provisions of this Act are hereby declared to be severable. Should any section or provision hereof be held invalid or unenforceable by a court of competent jurisdiction, said holding shall not invalidate or render unenforceable the remaining provisions or sections hereof.

Section 23. Effective Date.—This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. However, no changes in the operation of the Alabama State Hospitals, Partlow State School and Hospital, the Commission on Alcoholism, or the Division of Mental Hygiene are to be affected pursuant to this Act before October 1, 1965.

Which was adopted.

Mr. Shelton then offered the following amendment to the substitute for the Bill, H. B. 699, to-wit:

Amendment to Substitute for H. B. 699:

In paragraph (4) of Section 10, add at the end thereof the following:

However, a resident of Alabama shall not be transferred from a state institution or facility to any institution or facility outside the State of Alabama, by contract or otherwise.

Also, in paragraph (5) of Section 10, strike out the last sentence and insert in lieu thereof the following:

The Board is further authorized to transfer such geriatric patients to private nursing homes within the State of Alabama if it finds such action to be in the public interest.

Which was adopted.

Mr. McCain offered the following amendment to the substitute, as amended, for the Bill, H. B. 699, to-wit:

Amendment to Substitute As Amended for H. B. 699:

Strike out subsection (20) of Section 10 and insert in lieu thereof the following:

(20) The employees of the department shall be governed by personnel merit system rules and regulations, the same as other employees in state service, as administered by the states personnel department, provided that such rules and regulations shall not be applicable to the appointment, tenure, or compensation of physicians, surgeons, psychiatrists, psychologists, dentists, social workers, nurses, and attorneys. Employees of the department on the day this Act becomes effective who have been so employed for six months immediately preceding such date shall remain in their respective employments during good behavior; but nothing herein shall be construed to prevent or preclude the removal of an employee for cause in the manner provided by law.

Which was adopted.

Mr. McCain then offered the following amendment to the substitute. as amended, for the Bill, H. B. 699, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR H. B. 699:

Amend Substitute for H. B. 699 by striking from Section 1 thereof the third sentence of said Section and in lieu thereof insert the following: "The principal offices of the department shall be located on the grounds of the Alabama State Hospitals at Tuscaloosa, Alabama until the location of the same is changed by the Trustees of the Alabama Mental Health Board."

The Bill:

H. 591. To authorize and provide for an interpreter wherein any person either totally deaf, or who has defective hearing, or who has defective speech or has both defective hearing and speech, who is either a plaintiff or defendant in any cause at law or is either the complainant or respondent in any cause in equity or is legally summoned as a material witness in any Circuit Court or Court of Record within the State of Alabama; the manner in which such interpreters are selected; the required qualifications of such interpreters, and the manner and form in which such interpreters are compensated for their services when called.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts
Allen	Evans	Lowe	Robison (Montgomery)
Bentley	Gilchrist	Mathews	Shelton
Brannan	Givhan	McCain	Smith
Clark	Hammond	McDow	Taylor
Cooper	Hawkins	Montgomery	Wilson
Dumas	James	Reynolds	

—26

Nays:

—0

The Bill:

H. 935. To provide for the organization of a public corporation in the state to be known as the State Industrial Development Authority; to designate the officers and members of the board of directors of the

Authority; to prescribe the powers and duties of the Authority, including the power to make certain state surveys incidental to industrial development and the power to make grants of money to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell bonds for the purpose of making said grants of money; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be issued to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies and for investment of fiduciary funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Code of Alabama of 1940, Title 51, Section 179, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, as such principal and interest mature; to authorize the Authority to pledge such funds for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds and that such bonds shall nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the dissolution of the Authority; and to repeal Act No. 242 adopted at the Extraordinary Session of the Legislature of Alabama of 1965, which convened on February 16, 1965.

was taken up.

The Standing Committee on Mining and Manufacturing reported the following amendment to the Bill, H. B. 935, to-wit:

AMENDMENT TO H. B. 935

Amend H. B. 935 as follows:

(1) Amend the title to the bill by striking therefrom the words and figures "Code of Alabama of 1940, Title 51, Section 179, as amended," where the same appear together in the title to the bill, and insert in lieu of the words and figures so struck the following: "the act adopted at the 1965 Regular Session of the Legislature of Alabama that was introduced as House Bill 874 at said session,"

(2) Amend Section 11 of the bill by striking Section 11, and inserting in lieu thereof the following:

"Section 11. Revenues of the Authority. For the purpose of providing funds to enable the Authority to pay at their respective maturities the principal of and interest on any bonds issued by it under the provisions of this Act and to accomplish the objects of this Act, there is hereby irrevocably pledged to such purpose and there is hereby appropriated so much as may be necessary for such purpose of the residue of the receipts from the tax levied by the Act adopted at the 1965 Regular Session of the Legislature of Alabama that was introduced as House Bill 874 at said session, after there shall have been taken from the said receipts the amount necessary to meet the expenses of the Department of Revenue in collecting the same. All moneys hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and the interest on the bonds herein authorized."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	James	Reynolds
Allen	Eddins	Lolley	Roberts
Bentley	Evans	Lowe	Robison (Montgomery)
Brannan	Gilchrist	Mathews	Robison (Pickens)
Carter	Givhan	McCain	Smith
Clark	Hammond	McDow	Taylor
Cooper	Hawkins	Montgomery	Wilson

—27

Nays:

—0

Mr. Smith offered the following amendment to the Bill, H. B. 935, as amended, to-wit:

Amendment to H. B. 935, as previously amended:

Amend H. B. 935, as previously amended, by striking Section 11 from said amended bill and inserting in lieu thereof the following:

"Section 11. Revenues of the Authority. For the purpose of providing funds to enable the Authority to pay at their respective maturities the principal of and interest on any bonds issued by it under the provisions of this Act and to accomplish the objects of this Act, there is hereby irrevocably pledged to such purposes and there is hereby appropriated so much as may be necessary for such purpose of the receipts from the tax levied by the Act adopted at the 1965 Regular Session of the Legislature of Alabama that was introduced as House Bill 874 at said session. All moneys hereby appropriated and pledged shall constitute a sinking fund for the purpose of paying the principal of and the interest on the bonds herein authorized."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Hornsby	Roberts
Allen	Eddins	James	Robison (Montgomery)
Bentley	Evans	Lolley	Robison (Pickens)
Brannan	Gilchrist	Lowe	Shelton
Carter	Givhan	Mathews	Smith
Clark	Hammond	McDow	Taylor
Cooper	Hawkins	Montgomery	Wilson

—27

Nays:

—0

And said Bill, H. B. 935, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 4.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Allen	Gilchrist	Lowe	Robison (Montgomery)
Bentley	Givhan	Mathews	Robison (Pickens)
Brannan	Hammond	McCain	Smith
Carter	Hornsby	McDow	Taylor
Clark	James	Montgomery	Wilson

—24

Nays:

Messrs.:	Eddins	Hawkins	Roberts	
Dumas				—4

FURTHER CONSIDERATION OF H. B. 699

The Senate proceeded to further consideration of the Bill, H. B. 699, as amended. The question was on the amendment offered by Mr. McCain.

Mr. Robison (Montgomery) moved that further consideration of the Bill, H. B. 699, as amended, and pending amendment, be postponed until the next Legislative Day. On motion of Mr. Cooper, the motion to postpone was laid on the table.

Yeas 17; Nays 10.

Yeas:

Messrs.:	Cooper	James	Reynolds	
Allen	Givhan	Lolley	Shelton	
Brannan	Hammond	Mathews	Taylor	
Carter	Hawkins	McDow	Wilson	
Clark	Hornsby			—17

Nays:

Messrs.:	Eddins	Lowe	Robison (Montgomery)	
Bentley	Evans	McCain	Robison (Pickens)	
Dumas	Gilchrist	Montgomery		—10

The question then recurred on the amendment offered by Mr. McCain to the Bill, H. B. 699, as amended.

MOTION TO ADJOURN LOST

At 11:35 P. M., Mr. Gilchrist moved that the Senate adjourn until Thursday, August 26, 1965, at 10 o'clock A. M., which motion was lost.

Yeas 6; Nays 22.

Yeas:

Messrs.:	Eddins	Hawkins	Wilson	
Carter	Hammond	McCain		—6

Nays:

Messrs.:	Dumas	James	Reynolds	
Allen	Evans	Lolley	Roberts	
Bentley	Gilchrist	Lowe	Robison (Montgomery)	
Brannan	Givhan	Mathews	Robison (Pickens)	
Clark	Hornsby	McDow	Taylor	
Cooper	Horton	Montgomery		—22

REPORTS OF COMMITTEES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Rast:

H. 1202. To authorize the State Bureau of Publicity and Information to equip, maintain, operate and staff tourist welcome centers in this

state; and to provide that the cost thereof shall be paid out of proceeds from the lodgings tax appropriated to such agency for tourist promotion.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

- S. B. 439 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 511 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 512 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 516 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 518 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 520 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 522 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 523 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 528 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 529 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 530 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 532 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 540 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 541 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. J. R. 39 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. J. R. 40 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. J. R. 58 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. J. R. 60 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 208 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 517 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 548 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 550 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 551 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 553 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 559 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 562 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. J. R. 48 Delivered to the Secretary of State August 19, 1965, at 2:01 P. M.
- S. B. 8 Delivered to the Governor August 19, 1965, at 2:00 P. M.
- S. B. 90 Delivered to the Governor August 19, 1965, at 2:00 P. M.

S. B. 223 Delivered to the Governor August 19, 1965, at 2:00 P. M.
 S. B. 437 Delivered to the Governor August 19, 1965, at 2:00 P. M.
 S. B. 119 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 543 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 574 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 575 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 581 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 590 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 592 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 593 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 594 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 599 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 600 Delivered to the Governor August 19, 1965, at 9:05 P. M.
 S. B. 2 Delivered to the Governor August 19, 1965, at 9:05 P. M.

McDOWELL LEE,
 Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

The hour of 12 o'clock Midnight having arrived, the Chair declared the Senate adjourned, in accordance with Joint Resolution heretofore adopted and pending further consideration of the Bill, H. B. 699, until Thursday, August 26, 1965, at 10 o'clock A. M.

THIRTY-SIXTH LEGISLATIVE DAY

THURSDAY, AUGUST 26, 1965

The Senate met pursuant to adjournment, Lieutenant Governor Allen presiding.

PRAYER

The Session was opened with prayer by Mr. Billy Joe Watson, Assistant Minister, Rainbow Church of Christ, Gadsden, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson

JOURNAL

On motion of Mr. Nichols, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

THE STATE OF ALABAMA — — JUDICIAL DEPARTMENT

SUPREME COURT OF ALABAMA

SPECIAL TERM 1965

The Senate of Alabama
State Capitol
Montgomery, Alabama

Dear Sirs:

We are in receipt of your inquiry of June 11, 1965 in which under Senate Resolution No. 29 you request our opinion on certain constitutional questions relating to Senate Bill No. 216.

Senate Resolution No. 29 reads as follows:

"A resolution requesting the opinions of the Justices of the Supreme Court concerning the constitutionality of Senate Bill No. 216 and proposed Amendment.

"BE IT RESOLVED BY THE SENATE OF ALABAMA, that the opinions of the Justices of the Supreme Court of Alabama are hereby respectfully requested upon the following important constitutional questions relating to Senate Bill No. 216, and proposed amendment (a copy of which bill and amendment are hereto attached) which said bill was introduced in the Senate on May 28, 1965, reported favorably with said amendment by the Senate Judiciary Committee, and which said bill received its second reading in the Senate on June 4:

"1. Will the bonds which the Corrections Institution Finance Authority, authorized to be created and provided for in said bill, constitute a debt created against or incurred by the State of Alabama, or its authority, in violation of Section 213 of the Constitution, as amended?

"2. Assuming that the Kilby Property described in said bill shall be conveyed to the Corrections Institution Finance Authority without any consideration other than that stated in said bill being given therefor, and that bonds of the Authority shall be issued, payable from the proceeds of the sale or lease of the Kilby Property, as well as rentals from facilities to be constructed by it with bond proceeds, will these circumstances alter your answer to question 1 above?

"3. Assuming that facilities constructed by the Corrections Institution Finance Authority shall be located on unimproved real property conveyed to it by the Governor pursuant to Section 22 of the bill, will these circumstances alter your answer to question 1 above?

"4. Will the year to year lease of correction institution facilities by the Corrections Institution Finance Authority to the Board of Corrections or other state agency, as authorized by Section 24 of the bill, constitute a new debt created against or incurred by the State of Alabama, or its authority, in violation of Section 213 of the Constitution, as amended?

"5. Will the prohibition in Section 24 of the acquisition, construction or lease of any facilities for penal or correctional use in the event that facilities constructed by the Corrections Institution Finance Authority shall be vacant, be valid and binding or will such prohibition

make of the year to year lease authorized in said section a new debt created against or incurred by the State, or its authority, in violation of Section 213 of the Constitution, as amended?

"6. Will the construction and leasing by the Corrections Institution Finance Authority, as authorized in said bill, cause the state to engage in works of internal improvement or lend money or credit in aid thereof, in violation of Section 93 of the Constitution, as amended?

"7. Does the bill contain more than one subject in violation of Section 45 of the Constitution?

"8. Is the subject of the bill clearly expressed in its title, as required by Section 45 of the Constitution?"

Senate Bill No. 216 was later amended in the Senate Judiciary Committee so as to include the Lieutenant Governor and the Attorney General of the State of Alabama along with the Governor, the Commissioner of Corrections, and the Director of Finance, with the power to become a public corporation with the power and authority provided for by said Act No. 216. The bill was also amended in other details not necessary here to be noted.

The pertinent provisions of Senate Bill 216 are as follows:

"Section 9. Authorization of Bonds. For the purpose of providing funds for the acquisition of sites, for the construction, reconstruction, alteration and improvement of facilities, for the procurement of equipment therefor, and for payment of obligations incurred or temporary loans made for any of said purposes, the Authority is hereby authorized, from time to time, to sell and issue its bonds, not exceeding in the aggregate principal amount, however, Five Million Five Hundred Thousand Dollars (\$5,500,000) which said principal amount shall, however, be reduced by the amount of the net proceeds from the sale or rental of all or any part of the Kilby Property, received at or prior to the time the last of the bonds herein authorized shall be issued.

"Section 10. Temporary Financing. In anticipation of issuance of bonds hereunder, the Authority may borrow such sums as may be needed, not exceeding Five Hundred Thousand Dollars (\$500,000) for the aforesaid purposes and obligate itself by certificate or promissory note, bearing interest at a rate or rates not exceeding 4 per cent per annum and maturing within one (1) year from date. Said certificates or promissory notes shall be payable solely from bond proceeds or moneys and funds from which bonds are payable.

"Section 13. Obligations Not a Debt of the State. All obligations incurred by the Authority and all bonds, notes and certificates issued by it shall be solely and exclusively an obligation of the Authority, payable solely from the revenues and income which may under the provisions of this Act be pledged to the payment thereof. No obligation incurred by the Authority and no bond, note or certificate shall create an obligation or debt of the State.

"Section 22. Conveyance to Authority by State. The Governor of the State is authorized to execute and deliver immediately before or simultaneously with the issuance of the first bonds of the Authority an appropriate deed or deeds conveying to the Authority (a) the Kilby Property and (b) any unimproved real property belonging to the State in any county which the Board determines to be needed by the Authority for the construction of facilities. Upon delivery of such deed to the Authority it thereby shall be invested with all right and title that the State of Alabama had in the property conveyed thereby, subject to the right of reverter to the State of all such property except such parts of

the Kilby Property as shall be sold as herein authorized, upon the dissolution of the Authority. The Authority shall be entitled to immediate possession of all such unimproved real property upon execution of the deed thereto but it shall not have the right to possession of the Kilby Property or any portion or parcel thereof until such time or times as the Board shall determine that such property or a portion or parcel is not required by it for penal or correctional use. The consideration for said conveyance shall be the Authority's agreement to reconvey to the State all said real property, except portions of the Kilby Property which have been disposed of, with all improvements thereon, free of charge, immediately before the dissolution of the Authority. Since the State will receive back in free rent or earlier reconveyance of facilities the full value of the Kilby Property and since other real property to be conveyed to and utilized by the Authority would otherwise remain unimproved, said consideration is hereby conclusively determined to be valuable, adequate and fair. Immediately prior to its dissolution, the Authority, shall also convey to the State all other assets acquired by the Authority, whether by purchase, gift, grant, or otherwise, provided the terms of the grant are not violated thereby.

"Section 23. Sale or Lease by the Authority of Kilby Property. The Authority shall have the power and authority to sell and convey or to lease all or any part of the Kilby Property, and, as an aid to such sale or lease, to cause to be prepared by competent real estate experts a land use map and plan. No such sale or lease shall be made, however, except at public offering, on sealed bids or at auction, and upon such published notice as the Authority shall determine to be necessary or desirable in order to attract the greatest interest from prospective bidders. Notice of any public sale or lease shall in any event, be given by publication in at least three newspapers of general circulation published in the State at least three times, the first notice to be published not less than 60 days before the date of such public offering, the second notice to be published not less than 30 days nor more than 40 days before such public offering, and the third notice to be published not less than 10 days nor more than 20 days before such public offering. The award of any property offered for sale or lease shall be made to the highest responsible bidder unless all bids shall be rejected as inadequate and other public offering shall be made upon notice republished as before. Any sale shall be for all cash or at least one third cash and the balance payable in not exceeding three years and secured by a purchase money mortgage. Each deed or lease to effectuate any such sale or lease shall be signed in the name of the State by the Governor and the Great Seal of the State shall be affixed thereto and attested by the Secretary of State. The proceeds of the sale of any such property shall be used first to pay the reasonable and necessary expenses of sale and the balance remaining shall be paid to the State Treasurer and held by him in the special account for the acquiring of land for, and the constructing, reconstructing and equipping of one or more facilities or, in the event that all bonds herein authorized shall have been issued, for the payment of the principal of or interest on bonds and the redemption price thereof. The principal amount of bonds herein authorized to be issued shall be reduced by the total of the amounts so deposited in such special account prior to the issuance of all such bonds.

"Section 24. Leases of Facilities between The Authority and State Agencies. The Authority is hereby authorized to enter into a lease or leases of any one or more facilities constructed by the Authority under the provisions of this Act to and with the Board and any other agency, board, commission, bureau or department of the State which may be charged with the responsibility for the operation of any of the penal or correctional institutions of the State. The Board, and any such other agency, board, commission, bureau or department of the State and each

of them are hereby authorized to lease any such facilities from the Authority. No such lease shall, however, be for a term longer than the then current fiscal year of the State, but any such lease may contain a grant to the State or its agency of successive options of renewing said lease on the terms specified therein for any subsequent fiscal year or years of the State; provided that liability for the payment of rent shall never be for a term longer than one fiscal year. Rent payment by the State or any of its agencies shall be due in advance on the first day of the fiscal year and shall, upon being so paid, entitle the state or such agency to quiet possession of the facilities leased for the remainder of such fiscal year. The rent for each fiscal year during which said lease agreement shall be in effect shall be due in advance on the first day of the fiscal year, and said rent for such fiscal year shall be payable, and any such covenant on the part of the State or any of its agencies shall be performed, solely out of the current revenues of the State for such fiscal year.

"The rent payable and the covenants to be performed by the State or any of its agencies under the Provisions of said lease shall never create a debt of the State within the meaning of the constitution. In the event that here shall be any default in the payment of any rent required to be paid or in the performance of any covenant required to be performed by the State or any of its agencies under the provisions of any such lease, while such lease is in effect, the Authority and any pledges of such lease may, by any appropriate proceedings at law or in equity, instituted within the time permitted by law, enforce and compel the payment of such rent and the performance of such covenants. No free use shall be made of any facilities of the Authority so long as the principal of or interest on any bonds, including refunding bonds, issued by the Authority remains unpaid. In the event that any facility of the Authority should become vacant or not be used by the State or one of its agencies, then neither the State nor any agency, board, bureau, commission, public corporation or department of the State shall rent, purchase, acquire, construct or lease any facility for penal or correctional use or renew any lease of any facility for penal or correctional use, nor shall it use any such facility other than those of the Authority, so long as any facility of the Authority shall remain vacant or unused.

"Section 26. Security for Bonds. The principal of and interest on the Bonds shall be secured by a pledge of any or all of the following receipts, as the Authority may determine:

"(a) The rent and revenue for the use of one or more facilities of the Authority;

"(b) The net rent or sale proceeds from the Kilby Property;

"(c) Any bond proceeds remaining unexpended upon completion of all facilities to be constructed with such bond proceeds, and the payment of the cost thereof;

"(d) Any insurance proceeds which the Authority may receive by reason of its ownership of any of the facilities. The Authority shall have authority to transfer and assign any lease of any of the facilities and any lease or mortgage of the Kilby Property as security for the payment of such principal and interest. The Bonds may be issued under and secured by a resolution which may, but need not, provide for an indenture of trust covering one or more facilities of the Authority. Such resolution or such indenture of trust may contain any provision or agreement customarily contained in instruments securing evidences of indebtedness, including, without limiting the generality of the foregoing, provisions respecting the collection and application of any receipts pledged to the payment of bonds, the terms to be incorporated in lease agreements respecting the facilities, the maintenance and insurance

thereof, the creation and maintenance of reserve and other special funds from such receipts, and the rights and remedies available in the event of default to the holders of the bonds or to the trustee for the holders of the bonds or under any indenture of trust, all as the Authority may deem advisable and as shall not be in conflict with the provisions of this Act; provided, however, that in making such agreements or provisions the Authority shall not have the power to obligate itself except with respect to its facilities, the Kilby Property and the application of the receipts which it is herein authorized to pledge. If there be any default by the Authority in the payment of the principal of or interest on the bonds or in any of the agreements on the part of the Authority which may properly be included in any resolution or indenture of trust securing such bonds, any holder of any of the bonds or any of the coupons or the Trustee for the bondholders under any resolution or indenture of trust, if so authorized therein, may either at law or in equity, by suit, action, mandamus or other proceeding, enforce payment of such items and compel performance of all duties of the directors and officers of the Authority, and shall be entitled, as a matter of right and regardless of the sufficiency of any such security or the availability of any other remedy, to the appointment of a receiver in equity with all the power of such receiver for the maintenance, insurance, and leasing of the facilities and property covered by such resolution or such indenture of trust and the collection and application of the receipts therefrom; provided that no such resolution or indenture of trust shall grant any lien or mortgage subject to foreclosure, nor shall such resolution or indenture of trust be construed so as to compel the sale of any of the facilities or property covered thereby or any part thereof in satisfaction of the bonds secured thereby. Any such resolution or indenture of trust may contain provisions regarding the rights and remedies of any trustee thereunder and the holders of the bonds and coupons and may contain provisions restricting the individual rights of action of the holders of the bonds and coupons.

"Section 29. Dissolution of the Authority. When all bonds and securities issued by the Authority and all obligations assumed by it under the provisions of this Act shall have been paid in full, the then president of the Authority shall thereupon execute and deliver in the name of and in behalf of the Authority an appropriate deed or deeds, to which the seal of the Authority shall be affixed and attested by the secretary of the Authority, conveying to the State all the buildings, properties and other assets then owned by the Authority. The then officers and directors of the Authority shall at such time file with the Secretary of State a written statement, subscribed and sworn to by each of them, reciting the payment in full of all bonds theretofore issued by the Authority and the execution and delivery of such deed or deeds to the State, which statement shall be filed by the Secretary of State and recorded with the certificate of incorporation of the Authority, and thereupon the Authority shall stand dissolved."

The main purpose of Senate Bill 216 is to establish the maximum security building of the state penitentiary and cotton mill, presently located on the Kilby Prison property, to other property now owned by the State of Alabama. The maximum security building will be located on the state prison farm at Atmore, and the site of the new cotton mill will be at Speigner.

Senate Bill 216 provides a legislative framework for a plan to convert Kilby prison into a modern new penal system located farther away from the growing urban area of Montgomery. The City of Montgomery has expanded to the extent that the potential value of the Kilby property has enhanced beyond the point to where it is economically feasible for the state to continue its use for prison facilities and farming. There are other obvious and potent reasons for relocating Kilby Prison.

The pertinent provisions of Senate Bill 216 are set out above.

Senate Resolution 29 poses three queries as to whether the proposed bonds will violate Sec. 213 of the Constitution, as amended.

We are of the opinion that the bonds of the Corrections Institution Finance Authority, a separate corporate entity of the state, authorized to be created and provided for in Senate Bill 216 payable from rental income derived from buildings and facilities constructed with the bond proceeds, are not a debt of the state.

It was said in Opinion of the Justices, 252 Ala. 465, 41 So. 2d 761, that the bonds of the Alabama State Employment Security Corporation, payable from the lease rentals of a state office building, were not debts created against, or incurred by, the state, or its authority, within the meaning of Sec. 213, Constitution of 1901, as amended.

It was also said that bonds of the Agricultural Center Corporation, a separate corporate entity, payable from rents derived from the leasing of the Montgomery Livestock Coliseum by the Corporation to the Agricultural Center Board did not create a debt of the State. In re Opinion of the Justices, 256 Ala. 170, 54 So. 2d 68. To like effect is the Opinion of the Justices reported in 275 Ala. 254, 154 So. 2d 12. Therefore, we answer your inquiry No. 1 in the negative.

It seems logical to answer the third question posed by Senate Resolution 29 before proceeding to the second question posed by the Resolution.

The third question asks the Justices to assume that the Governor will use the authority granted him by Senate Bill 216 and convey to the Alabama Corrections Institution Finance Authority unimproved real property and that the Authority will locate the proposed new facilities on lands so conveyed. And as stated above, it is contemplated that the site for the new maximum security building will be on the Atmore State Prison Farm, at Atmore, Alabama, and the site for the new cotton mill will be at Speigner on property now owned by the State of Alabama.

It seems clear that the conveyance to the Corrections Institution Finance Authority by the State of Alabama of the real property upon which the improvements are to be constructed by a separate corporate entity does not make the bonds of such separate corporate entity a debt within the meaning of Sec. 213 of the Constitution, as amended. See authorities, supra; also *Keller v. State Board of Education*, 236 Ala. 400, 183 So. 268; *Norton v. Lusk*, 248 Ala. 110, 26 So. 2d 849; *Harman v. Alabama College*, 235 Ala. 148, 177 So. 747.

The location of the revenue producing facilities on the property of the state does not make the bonds payable from the revenues of such facility a debt of the state within the meaning of Sec. 213, as amended. The answer to Question No. 3 is no.

The second question posed by Resolution 29 is stated above and will not be repeated here.

In answering this question, we find that it assumes an additional factor, viz., that, pursuant to the authorization of Senate Bill 216, the Kilby property should also be conveyed to the Corrections Institution Finance Authority by the Governor, without consideration other than that stated in Senate Bill 216.

The consideration so stated is the undertaking of the Authority to reconvey to the State the Atmore and Speigner sites, and all unsold parts of the Kilby property on payment of the obligations of the Authority and before dissolution. In these circumstances, an asset or prop-

erty now owned by the state will serve as a financial base for the construction of the new prison facilities by the Corrections Institution Finance Authority. While the authority is a separate corporate entity, it does receive a state asset to aid it in its financing.

We take note of such decisions as the Town of Opp v. Donaldson, 230 Ala. 689, 163 So. 332, and the City of Mobile v. Board of Water and Sewer Commissioners, 258 Ala. 669, 64 So. 2d 824. See also Opinion of the Justices, 266 Ala. 78, 93 So. 2d 923. But in the case of Chamberlain v. Board of Commissioners of the City of Mobile, 243 Ala. 662, 11 So. 2d 724, the Justices held that the case of Chamberlain was not controlled by the line of cases by which the Town of Opp v. Donaldson, supra, is typical.

It was stated in Opinion of the Justices, 256 Ala. 170, 54 So. 2d 68:

"Some suggestion has been made in consultation that for the State to convey the coliseum property which it is sought to be assumed produces some revenue in its present incomplected state and for the public corporation to then pledge the entire revenue when the property is completed to the payment of the revenue bonds would constitute a debt within the meaning of Section 213 of the Constitution. We can rationalize no distinction between the status treated in Opinion of the Justices, 252 Ala. 465, 41 So. 2d 761 and that here presented. In that opinion we dealt with and approved a proposed conveyance by the State to the Alabama State Employment Security Corporation of land adjacent to or in the vicinity of the capitol. We did not predicate any conclusion upon our opinion with reference to the income producing potentiality of the facility to be conveyed to the public corporation dealt with in that opinion and there was no evidential data respecting the property's present or potential value as income producing. Here, however, we do have specific data indicating that the coliseum property produces no net revenue since the Act pursuant to which the facility was acquired and constructed specifically provides that the income from its utilization 'shall not be made with a view of producing any revenue or profit * * *', but shall be based exclusively upon reasonable cost of operation and maintenance * * *.' Act No. 282, General Acts 1945, p. 447, § 2.

"We deem it not out of place to mention also that if said bill is duly passed in pursuance of valid legislative procedure and approved by the Governor, it will in effect become the law of Alabama, and in legal effect the provisions of the act will be written into the bonds issued thereunder and become a part of the contract between the purchasers of the bonds and the corporation. On its face it positively provides that said bonds shall not become a debt of the State nor a charge against its general credit, or its taxing power. Therefore all persons dealing in respect to such bonds must take notice of these provisions which the legislature intends to govern the validity of said bonds."

The Kilby property is not presently a source of net income to the state. On the contrary, it is a liability in that the state appropriates from its general fund to support the prisons and activities there conducted.

Stripped of the legal technicalities necessitated by this particular means of financing a new prison system, all the bill does is to authorize the conversion of the Kilby property into money in order that it may be reconverted into a new prison system. The maximum security building and an adequate place of inside employment, such as the cotton mill, must be replaced before prisoners can be contained and the Kilby property released for sale. The authorization of the Authority, with its power to anticipate sale and rental proceeds of the Kilby property, is a means to this legitimate end. It does not in any way involve the state's credit or the general fund. The existing prison facilities are being moved to a new site; the old site pays the cost, but the new site must be

put in use before the old site can be sold. Neither the general fund nor any other revenue or resource of the state will stand for the debt. No obligation is imposed on the state to pay money. The substance of the transaction therefore does not offend or vitiate any requirement of Sec. 213 of the Constitution, as amended, nor will the state's credit be jeopardized or affected in any way.

The fourth query posed by Senate Resolution 29 concerns the leases of correctional institution facilities authorized by Sec. 24 of Senate Bill 216. It is contemplated that the Corrections Institution Finance Authority will lease to the Board of Corrections or other agency the new prison facilities on a year to year basis, the rental therefor being paid from current income. All obligations by the State Board of Corrections or other state agency is strictly limited and can be payable only out of current revenues of the state for such fiscal year.

Such a year to year lease was considered and sustained in *In re Opinion of the Justices*, 252 Ala. 465, 41 So. 2d 761. This Court has also upheld a municipal contract by the City of Mobile to purchase water as not creating a debt of the City within the meaning of Sec. 225 of the Constitution, by construing it as limiting payment to revenues from each fiscal year as water is received. *Hillard v. City of Mobile*, 253 Ala. 676, 47 So. 2d 162.

We answer your fourth inquiry in the negative.

Question 5 posed in Senate Resolution 29 is directed at the provisions of Sec. 24 of Senate Bill 216, which prohibit free use of any facilities constructed by the Authority so long as any of its bonds are outstanding and unpaid, and state that in the event of any vacancy or nonuse by the state, the state is prohibited from acquiring other similar facilities. This limitation is a restriction on the freedom of action of the Board of Corrections and is clearly within the province of the Legislature, and in no way could be considered to create a financial obligation on the part of the state.

A similar question was considered in *Opinion of the Justices*, 252 Ala. 465, 41 So. 2d 761, and was there upheld as not creating a debt of the state.

Your inquiry No. 5 is answered in the negative.

"The state shall not engage in works of internal improvement, nor lend money or its credit in aid of such; except as may be authorized by the Constitution of Alabama or amendments thereto; nor shall the state be interested in any private or corporate enterprise, or lend money or its credit to any individual, association, or corporation, except as may be expressly authorized by the Constitution of Alabama, or amendments thereto, * * *."

Public roads, highways and bridges, harbors and seaports, airports, landing fields and other air navigation facilities are expected. Sec. 93 is intended to forbid the state from going into competition with private enterprise or lending its money or credit in aid thereof. *Alabama State Bridge Corp. v. Smith*, 217 Ala. 311, 116 So. 695; *Rogers v. Garlington*, 234 Ala. 13, 173 So. 372; *Mead v. Eagerton* 255 Ala. 66, 50 So. 2d 253; *State v. Murphy*, 237 Ala. 332, 186 So. 487; *In re Opinion of the Justices*, 247 Ala. 66, 22 So. 2d 521; *In re Opinion of the Justices*, 247 Ala. 195, 23 So. 2d 505; *In re Opinion of the Justices*, 256 Ala. 170, 54 So. 2d 68.

We answer your sixth inquiry in the negative.

Questions 7 and 8 concern Sec. 45 of the Constitution of Alabama 1901.

Without a prolongation of discussion, we hold that an examination of Senate Bill 216 reveals no subject or material covered in the Bill which is not clearly indicated in the title. See *Rogers v. Garlington*, supra; *Atkinson v. City of Gadsden*, 238 Ala. 556, 192 So. 510; *Newberry v. City of Andalusia*, 257 Ala. 49, 57 So. 2d 629. Senate Bill 216 contains but one subject, prison financing, clearly expressed in the title. Therefore, your inquiries 7 and 8 are answered in the negative.

Respectfully submitted,

J. ED LIVINGSTON
Chief Justice

ROBERT T. SIMPSON

PELHAM J. MERRILL

ROBERT B. HARWOOD
Associate Justices

August 26, 1965

THE STATE OF ALABAMA — JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

SPECIAL TERM 1965

THE STATE OF ALABAMA
CITY AND COUNTY OF MONTGOMERY

I, Richard W. Neal, as Deputy Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages numbered from one to twenty-two, inclusive, contain a full, true and correct copy of the Opinion of the Justices of the Supreme Court of Alabama rendered on August 26, 1965, in response and answer to Senate Resolution No. 29, requesting an advisory opinion as provided by Title 13, Section 34, Code of 1940, involving constitutional questions presented by Senate Bill 216, as the same appears and remains of record and on file in this office.

WITNESS, Richard W. Neal, Deputy Clerk
of the Supreme Court of Alabama, this
the 26th day of August, 1965.

RICHARD W. NEAL
Deputy Clerk of the Supreme Court of
Alabama

OPINION RENDERED

The foregoing opinion from the Supreme Court of Alabama, relative to S. B. 216, was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 10. Relating to required coverage in motor vehicle bodily injury liability insurance policies or contracts issued or delivered in this State requiring all such policies or contracts of insurance to include a provision insuring the insured and providing to pay the insured such sum as he may be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle and providing for the insured to have the right to reject such coverage.

Also:

S. 36. To make it unlawful for any person to withdraw or cause to be withdrawn from any state or national bank funds credited to a repositior's account through error or mistake, or to induce any such bank to pay any such funds to any person by making, drawing, uttering or delivering a check, draft or order for the payment of money, with the intent to so induce such bank; and to provide the penalties for violation of this act.

Also:

S. 49. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

S. 50. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Also:

S. 51. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Also:

S. 61. To create a solicitor's fund in each judicial circuit of Alabama where there does not now exist such fund; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in all circuit courts in such judicial circuits; and to authorize expenditures of said fund by the circuit solicitor for law enforcement and the discharge of the duties of his office.

Also:

S. 99. To further promote the agricultural interests of the State by providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets; and to define the duties, powers, and authority of the Farmers' Market Authority in relation to such markets.

Also:

S. 120. To amend Code of Alabama 1940, Title 30, Section 3 which relates to persons exempt from jury duty.

Also:

S. 365. To propose an amendment to the constitution relative to the establishment of water management districts.

Also:

S. 459. To provide for establishment and operation of a state tuberculosis sanatorium in Jackson County on the site of the abandoned highway convict camp at Scottsboro.

Also:

S. 507. To amend Section 4 of Act No. 211, Acts of Alabama 1945, p. 331, as amended by Section 2, Act No. 271, Acts of Alabama 1947, p. 114 and recompiled as Title 22, Section 204(6), Code of Alabama 1940, Recompiled 1958, relating to the public health; providing an Advisory Council to the State Board of Health; and prescribing qualifications of the members of said Advisory Council.

Also:

S. 572. To amend further Section 1 (j), Act No. 100, Second Special Session, Legislature of 1959, to provide for an alternative method of payment of sales tax on earth moving and construction equipment.

Also:

S. 578. Relating to Coffee County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

Also:

S. 64. To amend Section 21 of Act No. 107, Acts 1959, page 604, approved August 26, 1959 (Title 46, Section 257(46), Code of Alabama Recompiled 1958, 1963 Cumulative Pocket Part), entitled "An Act to provide further regulations governing the qualifications and eligibility of persons to engage in or be admitted to the practice of the healing arts; creating the state board of examiners in the basic sciences to administer the act, and providing for its organization, jurisdiction, authority, powers, and duties; imposing fees and charges and providing for their use; prescribing penalties," to exempt full time teachers in approved medical colleges certified by the dean thereof as having sufficient qualifications in the basic sciences.

Also:

S. 65. To amend Sections 3 and 7 of Act No. 106, Acts 1959, page 592, approved August 26, 1959 (Title 46, Sections 257 (3), 257(7), Code of Alabama Recompiled 1958, 1963 Cumulative Pocket Part), entitled "An Act to provide for the issuance, suspension, revocation, and renewal of licenses and certificates of registration of all persons admitted to or engaged in the practice of the healing arts or any branch thereof in the State of Alabama; creating a State Licensing Board for the Healing Arts to administer the act and to assist in the enforcement of other regulatory laws; providing for its organization, officers, jurisdiction, powers and duties; prescribing procedures and grounds governing the issuance, suspension, revocation, or renewal of such licenses and certificates of registration; imposing fees and charges; providing for the use of such fees and charges; and prescribing penalties."

Also:

S. 66. To amend Section 269 of Title 46, Code of Alabama 1940, to authorize the state board of medical examiners to issue certificates of qualification without examination in behalf of full time employed physicians teaching in medical colleges in Alabama, and to authorize said board to make rules and regulations with reference thereto, and to require a fee from such applicants, and to limit their practice.

Also:

S. 210. To better provide for the public health by providing for the regulation and approval of schools of nursing, for the examination, regu-

lation and licensing of professional and practical nurses; to create and define the powers of the Board of Nursing and the Advisory Council for practical nursing; to provide for the appointment and prescribe the terms of office, duties and compensation of members of such Board and of such Council; to provide for disciplining licensees and for appeals from decisions of the said Board; to prescribe penalties for violation of the provisions of this Act; and to make further provisions for the purpose of carrying out this Act.

Also:

S. 355. To appropriate \$5,000,000 conditionally out of the Alabama Special Educational Trust Fund during the fiscal year ending September 30, 1965, to be distributed among the State Vocational Technical Schools, the Alabama Institute for Deaf and Blind and the Partlow State School and Hospital.

Also:

S. 364. To provide for the establishment of works of improvement for the drainage of wet, swamp, and overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State; to authorize the organization of water management districts; to confer the right of eminent domain to the extent necessary to carry out the purposes of this Act; to provide for raising revenue by taxation and bond issue to pay the costs and expenses of carrying out the purposes of this Act; designating drainage districts as water management districts; prescribing penalties; and repealing Code of Alabama 1940, Title 2, Sections 208-262.

Also:

S. 394. To amend Act No. 201, H. 296, Acts of Alabama Regular Session 1955, page 492, relating to public school administration; and prescribing penalties.

Also:

S. 395. To make an additional appropriation to the State Board of Education from the funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund.

Also:

S. 512. To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 26,000 nor more than 27,000, according to the most recent federal decennial census.

Also:

S. 216. To provide for the acquisition, financing and leasing of prison and correctional facilities; to authorize the Governor, the Commissioner of Corrections, the Director of Finance, the Lieutenant Governor and the Attorney General to become a public corporation to be known as Alabama Corrections Institution Finance Authority; to provide the procedure for incorporation, to designate the members, directors and officers of the Authority; to prescribe the powers of the Authority, including the power to provide for the construction, reconstruction, improvement, alteration and equipment of prisons, correctional institutions, buildings and facilities and the acquisition of sites therefor, the power of eminent domain, and the power to sell and issue not exceeding \$5,500,000 principal amount of bonds for such purposes; to make temporary

loans; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction and equipment of buildings and facilities; to authorize the conveyance to said Authority of lands owned by the State; to authorize the sale or lease of lands conveyed by the State and the use of sale or rental proceeds to construct, reconstruct, or equip buildings or facilities, herein authorized, or to pay bonds issued for such purpose; to authorize the Authority to pledge its revenues and receipts to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease by the Authority of its buildings and facilities to the Board of Corrections, and to others; to provide for the lease by the Board of Corrections and other State agencies of prison and correctional buildings and facilities from the Authority; to authorize the publication of notice of the resolution authorizing any bonds, pledges and covenants and to specify a limitation of time thereafter for actions or defenses respecting said bonds, pledges and covenants; and to provide for dissolution of said Authority and conveyance of its assets and properties to the State upon payment of said bonds; and to grant authority and provide restrictions incidental to the performance of the foregoing.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the State Board of Education.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 17, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, effective September 30, 1965, and subject to your confirmation, the Honorable W. C. Davis of Fayette, from the old Seventh District, for the term expiring October 1, 1971, as a member of State Board of Education.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Clark, the Rules were suspended and the appointment of the Honorable W. C. Davis of Fayette as a member of the State Board of Education, which said appointment is set out in the foregoing message from His Excellency, the Governor, was confirmed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Little, Pierce, Goldthwaite and Goodwyn:

H. J. R. 172. WHEREAS travel and tourist trade constituted over a \$30,000,000,000 nationwide business in 1964, with Alabama's portion thereof being \$300,000,000, accounting for one-third of this State's tax income; and

WHEREAS Montgomery's and Alabama's newest tourist attraction, The Tourist Cotton Patch located at the new Holiday Inn, East, Montgomery, Alabama, gives millions of travelers their first opportunity to see cotton in its various stages of growth and, in season, to pick the oldest fiber known to man; and

WHEREAS, in order to provide this educational exhibit and tourist attraction, the management of the Inn obtained a one-half acre cotton allotment from the United States government; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends the management of the new Holiday Inn, East, Montgomery, upon its foresight and ingenuity for providing this additional tourist attraction in connection with the ordinary course of business, thereby increasing interest in this great State which abounds with interest and beauty.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison (Montgomery), the Rules were suspended and the Resolution, H. J. R. 172, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 66. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Secretary of the Senate, the Clerk of the House, the Secretary of State and the door-keepers of the House and Senate be and they are hereby relieved of any responsibility for the Codes, Supplements, Acts, Journals and any other books furnished to members of the Legislature, and

BE IT FURTHER RESOLVED that the Clerk of the House and the Secretary of the Senate be and they are hereby relieved of any responsibility for the legislative payrolls of all sessions of this year and said payrolls as heretofore submitted and paid are hereby approved.

On motion of Mr. Clark, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Lolley offered the following Senate Joint Resolution, to-wit:

S. J. R. 67. WHEREAS, Governor George C. Wallace has been responsible for giving leadership in the establishment of the State Junior College Program in Alabama, and

WHEREAS, without his leadership the State Junior College Program would not have been as fully developed as it is today, and

WHEREAS, Governor Wallace has provided overall outstanding leadership in the entire field of education and particularly in the promotion of the Junior Colleges.

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House of Representatives concurring, that the Administration Building at Enterprise Junior College be named the George C. Wallace Hall.

On motion of Mr. Lolley, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Givhan offered the following Senate Joint Resolution, to-wit:

S. J. R. 68. WHEREAS Dr. Champ Lyons, chief of surgery and chairman of the department of surgery at the University Hospital in Birmingham, is a world renowned surgeon whose skill has led to the development of new techniques used in open heart surgery and cardiovascular treatments; and

WHEREAS Dr. Lyons, who did his undergraduate work at the University of Alabama and later received his M. D., cum laude, from Harvard in 1931, returned to his alma mater in 1950 after extensive research and successful experience in association with eminent hospitals in Boston, London, and New Orleans; and

WHEREAS Dr. Lyons has given valuable assistance as a consultant to numerous national and international programs, has been awarded the Legion of Merit and two citations, is a diplomate of the American Board of Thoracic Surgery, Fellow of the American Association for the Advancement of Science and of the American College of Surgeons, for which he has served on its board of governors, and has been honored by membership in numerous medical and surgical associations throughout the world; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends Dr. Lyons for his many contributions to the field of medicine and surgery and for his selfless devotion and dedication to the cause of relief from

human suffering, and wishes to express to him particularly the gratitude of the people of Alabama for his return to this State and the gift of his services to train others to follow in his footsteps.

RESOLVED FURTHER That a copy of this resolution be sent to Dr. Lyons and to the Medical Association of the State of Alabama.

On motion of Mr. Givhan, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT FROM JUDICIARY COMMITTEE

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 97. Proposing an amendment to the Constitution, the so-called "Liberty Amendment".

RESOLUTIONS

Messrs. Carter and Hammond offered the following Senate Joint Resolution, to-wit:

S. J. R. 69. **WHEREAS**, Governor George C. Wallace has been responsible for giving leadership in the establishment of the State Junior College Program in Alabama, and

WHEREAS, without his leadership the State Junior College Program would not have been as fully developed as it is today, and

WHEREAS, Governor Wallace has provided overall outstanding leadership in the entire field of education and particularly in the promotion of the Junior Colleges, now therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVE CONCURRING, That the Administration Building at the Northeast State Junior College be named the George C. Wallace Building.

On motion of Mr. Carter, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Carter and Adams offered the following Senate Joint Resolution, to-wit:

S. J. R. 70. **WHEREAS** Mrs. Oneida Wells Hearn, wife of former representative Olin C. Hearn of Marshall County, passed away on August 22, 1965; and

WHEREAS Mrs. Hearn, who was active in church and civic affairs, was a member of the First Baptist Church, of the Business and Professional Womens Club, and of the Dogwood Garden Club of Albertville, was a beloved and highly valued member of her community; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply regrets the death of Mrs. Hearn, and extends its sincere sympathy to her husband, Mr. Olin C. Hearn; to her sister Mrs. J. Pat Colvin; and to her brother, Mr. G. D. Wells, Sr., all of Albertville, to whom copies of this resolution shall be sent.

On motion of Mr. Carter, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. McDow offered the following Senate Joint Resolution, to-wit:

S. J. R. 71. RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the bill, S. B. 216, which has passed both houses, be designated and known as "The Dumas-Pierce Bill."

On motion of Mr. McDow, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs.: McDow, Adams, Allen, Bentley, Brannan, Carter, Clark, Cooper, Dumas, Eddins, Evans, Gilchrist, Givhan, Hammond, Hawkins, Hornsby, Horton, James, Lolley, Lowe, Mathews, McCain, Metcalf, Montgomery, Nichols, Oden, Reynolds, Roberts, Robison (Montgomery), Robison (Pickens), Shelton, Smith, Taylor, Tyson, Wilson and Lieutenant Governor Allen offered the following Senate Resolution, to-wit:

S. R. 72. WHEREAS, The Honorable Hunter Phillips, Assistant to the Governor, has served as administrative legislative liaison to the members of the Senate; and

WHEREAS, Mr. Phillips has efficiently and capably represented the administration on legislative matters, however, he has always honestly presented these viewpoints to every member of the Senate;

NOW, THEREFORE, BE IT RESOLVED, That the Senate does commend the Honorable Hunter Phillips for his patience and fairness in his contacts with members of the Senate.

BE IT FURTHER RESOLVED That a copy of this Resolution be sent to the Honorable Hunter Phillips.

On motion of Mr. McDow, the Rules were suspended and the Resolution was adopted by the Senate.

BIENNIAL REPORT OF THE ALABAMA LEGISLATIVE COUNCIL

The Biennial Report of the Alabama Legislative Council to the Legislature of Alabama was submitted and ordered filed with the Secretary.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 65. Creating a joint interim committee on educational institutions.

And said Resolution was then adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Alabama Educational Television Commission.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Mrs. Bertha S. Roberts, Gadsden, Alabama, as a member of the Alabama Educational Television Commission, for the term expiring June 25, 1975.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Hawkins, the appointment of Mrs. Bertha S. Roberts of Gadsden as a member of the Alabama Educational Television Commission, which said appointment is set out in the foregoing message from His Excellency, the Governor, was confirmed by the Senate.

RESOLUTIONS

Mr. Lowe offered the following Senate Joint Resolution, to-wit:

S. J. R. 73. WHEREAS, Governor George C. Wallace has been responsible for giving leadership in the establishment of the State Junior College Program in Alabama, and

WHEREAS, without his leadership the State Junior College Program would not have been as fully developed as it is today, and

WHEREAS, Governor Wallace has provided overall outstanding leadership in the entire field of education and particularly in the promotion of the Junior Colleges.

NOW, THEREFORE, BE IT RESOLVED that the new Administration Building at Southern Union College, Wadley, Alabama, be named the George C. Wallace Building in honor of our Governor.

On motion of Mr. Lowe, the Rules were suspended and the Resolution was adopted by the Senate.

The Resolution:

H. J. R. 97. Proposing an amendment to the Constitution, the so-called "Liberty Amendment".

was taken up.

Mr. Metcalf moved that further consideration of the Resolution, H. J. R. 97, be indefinitely postponed, which motion was lost.

Yeas 8; Nays 17.

Yeas:

Messrs.:
Bentley
Carter

Gilchrist
Hawkins

Horton
Lolley

Metcalf
Shelton

—8

Nays:

Messrs.:
Adams
Brannan
Cooper
Dumas

Eddins
Givhan
James
Lowe
McCain

McDow
Montgomery
Reynolds
Robison (Montgomery)

Robison (Pickens)
Smith
Taylor
Tyson

—17

RESOLUTION POSTPONED TO TIME CERTAIN

The Chair on its own motion postponed further consideration of the Resolution, H. J. R. 97, until 7 o'clock tonight.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the unfinished business for today, which was the Bill:

H. 699. Relating to the public health; providing for the merging of Alabama State Hospitals, Partlow State School and Hospital, the Commission on Alcoholism, and the Division of Mental Hygiene of the State Board of Health; naming the new corporation the Alabama Mental Health Board; authorizing it to coordinate all operations and activities of the State related to mental health; creating a board of trustees for the new corporation and providing for its duties, powers, and authority; prescribing penalties for certain violations; providing for a State Mental Health Officer and prescribing his duties; providing for court review of final decisions of the Alabama Mental Health Board; providing for transfer of patients and records between elements of services; prescribing a report to the Governor and the Legislature; providing for budgetary support; and repealing laws in conflict herewith.

as amended.

The question was on the amendment offered by Mr. McCain, which said amendment is set out at length in the Journal of the Senate for the Thirty-Fifth Legislative Day.

BILLS ON THIRD READING

The Bill:

H. 486. Regulating costs and charges of courts in Jefferson County; prescribing the fees and commissions of constables, and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lowe	Roberts
Adams	Evans	Metcalf	Shelton
Allen	Gilchrist	Montgomery	Smith
Bentley	Givhan	Nichols	Taylor
Brannan	Horton	Oden	Tyson
Carter	James	Reynolds	Wilson
Clark	Lolley		

—25

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Dumas, further consideration of the Bill, H. B. 498, was indefinitely postponed by the Senate.

On motion of Mr. Lowe, further consideration of the Bill, H. B. 948, was indefinitely postponed by the Senate.

On motion of Mr. Wilson, further consideration of the Bill, H. B. 538, was indefinitely postponed by the Senate.

On motion of Mr. Taylor, further consideration of the Bill, H. B. 1211, was indefinitely postponed by the Senate.

On motion of Mr. Brannan, further consideration of the Bill, H. B. 1093, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1184. Relating to counties having populations of 600,00 or more, according to the most recent federal decennial census; authorizing the sale and distribution of draft beer within such counties.

was taken up.

Mr. Dumas offered the following amendment to the Bill, H. B. 1184, to-wit:

Amendment to House Bill 1184

Amend House Bill 1184 by adding Section 2A which section shall read as follows:

Section 2A. The Board of Health of any such county is hereby authorized, empowered and directed to adopt reasonable rules and regulations, having the force and effect of law, governing the storage, handling and distribution of draft beer. The Board of Revenue, County Commissioners, or other like governing body of any such county is also authorized and empowered to adopt rules and regulations having the force and effect of law governing the collection, licensing and enforcement of all taxes imposed on malt or brewed beverages. The sale of draft beer shall also be subject to all rules and regulations of the Alabama Alcoholic Beverage Control Board.

Further amend House Bill 1184 by amending Section 3 so that Section 3 shall read as follows:

Section 3. This Act shall become effective on October 1, 1965.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Robison (Pickens)
Allen	Givhan	Metcalf	Shelton
Bentley	Hammond	Montgomery	Smith
Brannan	Hawkins	Nichols	Taylor
Dumas	Hornsby	Roberts	Tyson
Eddins	Lowe		

—25

Nays:

—0

And said Bill, H. B. 1184, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Adams	Gilchrist	McCain	Robison (Pickens)
Allen	Givhan	Metcalf	Shelton
Bentley	Hammond	Montgomery	Smith
Brannan	Hawkins	Nichols	Taylor
Dumas	Hornsby	Roberts	Tyson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1096. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex territory to the said City.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McCain	Reynolds
Adams	Hammond	McDow	Robison (Montgomery)
Allen	Hawkins	Metcalf	Robison (Pickens)
Brannan	Hornsby	Montgomery	Taylor
Clark	Horton	Nichols	Tyson
Cooper	James	Oden	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 952. To create the Shelby County Planning Commission; to provide for the organization, membership, powers, personnel, jurisdiction, and financial and legal status of such commission; to authorize the Commission to make subdivision regulations, a master plan, and to adopt zoning regulations for the development of Shelby County; to provide for an election in each beat prior to the application of such authority of the Commission in each beat; to grant the Commission power to zone certain areas within the county and provide a procedure for the amendment of zoning regulations; to prohibit zoning regulations from being retroactive; to provide remedies for the enforcement of the provisions of this act; and to provide exceptions to such zoning regulations and for appeals from the decisions of the Commission.

was taken up.

Mr. McDow offered the following amendment to the Bill, H. B. 952, to-wit:

Amendment to H. B. 952

In Section 2, strike out the first sentence and insert in lieu thereof the following: The Commission shall be composed of seven members, all of whom shall be over the age of 25 years and each of whom shall be a qualified elector in and an actual resident of and a free-holder in Shelby County who resides outside the corporate limits of any municipality therein.

Amend H. B. 952 by striking Section 6 therefrom and substituting therefor the following:

Section 6. General Power and Duties of the Commission. It shall be the function and duty of the Commission to make and maintain in an up-to-date manner a master plan and to adopt appropriate zoning regulations as provided by Section 10 hereof for the physical development of Shelby County; provided, however, that the Commission shall have no power, by the adoption of zoning regulations or otherwise, to limit or impair in any manner the use of land for mining, quarrying or otherwise extracting coal, limestone or other minerals located therein, or for processing or distribution of such minerals. Such plan and regulations with the accompanying maps, plats, charts, and descriptive material shall show the Commission's recommendations for the use and development of the territory of the said county. The zoning regulations shall also include a zoning plan for selected areas for the control of the height, area, bulk, location, and use of buildings and land. As the work of making the whole master plan and preparation of zoning regulations progresses, the Commission may from time to time adopt and publish a part or parts thereof, any such part to cover one or more major sections or divisions of the county. The Commission may from time to time amend, extend, or add to the plan or regulations as hereinafter provided. Nothing in this act shall be construed to impair the right of eminent domain conferred on railroads and utilities, both public and private, or their right to construct, use and maintain structures reasonably required in the public service or their right to exercise authority conferred by statutes, franchises, certificates of convenience and necessity, licenses, easements or conveyances.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Allen	Gilchrist	McDow	Robison (Montgomery)
Bentley	Givhan	Montgomery	Robison (Pickens)
Clark	Horton	Nichols	Shelton
Cooper	James	Oden	Smith
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

And said Bill, H. B. 952, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Allen	Gilchrist	McDow	Robison (Montgomery)
Bentley	Givhan	Montgomery	Robison (Pickens)
Clark	Horton	Nichols	Shelton
Cooper	James	Oden	Smith
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

The Bill:

H. 1266. To authorize and regulate the fluoridation of water supplies in counties having a population of 40,000 according to the last or any succeeding federal census. To prescribe conditions for calling of a referendum.

was taken up.

Mr. Dumas offered the following amendment to the Bill, H. B. 1266, to-wit:

Amendment to House Bill 1266

Amend House Bill 1266 in the words and figures as follows:

1. Amend Section 1 (c) of said bill by deleting the words "shall the City of _____ Waterworks Board fluoridate its drinking water?" and substitute in lieu thereof in said Section the following "shall _____ fluoridate its drinking water?"

2. Amend Section 1 (c) of said bill by adding after the last sentence of said Section 1 (c) the following "Thirty days' notice of such election shall be given by publication once a week for four consecutive weeks in a newspaper of general circulation within said county and the cost of said notice and other incidental expenses relating to such referendum shall be borne by such person, firm or corporation furnishing and supplying such water. No fluoride shall be added unless a majority of the persons voting in said election vote in favor of adding fluoride."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Roberts
Adams	Gilchrist	McDow	Shelton
Allen	Givhan	Metcalf	Smith
Bentley	Hammond	Nichols	Taylor
Brannan	Hawkins	Oden	Tyson
Dumas	Hornsby	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

And said Bill, H. B. 1266, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McCain	Roberts
Adams	Gilchrist	McDow	Shelton
Allen	Givhan	Metcalf	Smith
Bentley	Hammond	Nichols	Taylor
Brannan	Hawkins	Oden	Tyson
Dumas	Hornsby	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1270. To regulate the compensation and allowances of regular jurors serving in court in Dale County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Roberts
Adams	Hammond	McCain	Robison (Montgomery)
Brannan	Hawkins	Metcalf	Robison (Pickens)
Carter	Hornsby	Nichols	Smith
Clark	James	Oden	Tyson
Cooper	Lolley	Reynolds	Wilson
Evans	Lowe		

—25

Nays:

—0

The Bill:

H. 1273. To apply only in counties having a population of not less than 96,000 nor more than 116,000 inhabitants according to the 1960 or any subsequent decennial census of the United States; Providing for an Administrative Consultant to the Circuit Clerk of such Counties of Alabama, and to prescribe the qualifications, duties, compensation, and terms of such Administrative Consultants.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Shelton
Allen	Gilchrist	Mathews	Smith
Bentley	Givhan	McCain	Taylor
Brannan	Hawkins	McDow	Tyson
Carter	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 1283. To amend further Act No. 477, H. 861, Regular Session 1955 entitled "An Act to provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance" (Acts 1955, vol. II, p. 1084).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lowe	Oden
Adams	Gilchrist	Mathews	Roberts
Allen	Hammond	McCain	Robison (Montgomery)
Bentley	Hawkins	McDow	Robison (Pickens)
Brannan	Hornsby	Metcalf	Shelton
Carter	Horton	Montgomery	Smith
Clark	James		

—25

Nays:

—0

The Bill:

H. 1004. To amend Section 2 of Act No. 116, S. 7, approved September 15, 1961 (Acts 1961, v. II, p. 2041), an Act relating to Lauderdale County and providing for the appointment and compensation of a Secretary to the county Sheriff, so as to increase the amount of compensation payable.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	McDow	Roberts
Brannan	Gilchrist	Metcalf	Robison (Montgomery)
Carter	Givhan	Montgomery	Robison (Pickens)
Clark	Hammond	Nichols	Taylor
Cooper	Hawkins	Oden	Tyson
Dumas	Horton	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

The Bill:

H. 1267. To apply in all counties in this state having populations of not less than 76,000, and not more than 116,000, according to the latest or any subsequent federal decennial census, and to provide for and authorize the introduction in evidence in any court in Alabama in such counties, when relevant and material, certified copies of hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, clinical, hospital, occupational, disease, injury and disability histories, X-rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as employees of such hospitals, forming a part of such hospital records, as to the health, physical and mental condition, state, sickness, disease, mental and physical disorders, damages, duration and character of disabilities, diagnosis, prognosis, progress, operations, incisions, injuries, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicines, treatment and care and charge sheets and the costs, expenses, fees and charges therefor and thereof, as to and of a patient in said hospital, when the custodian of such hospital records certifies and affirms in writing that the same are an exact, full, true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records but they shall not affect their admissibility; and to provide for the cost and the taxing thereof for said copy and certificate and affirmance in writing thereto and the filing of said copy with the clerk or register of the court having jurisdiction of the suit or proceeding, and to provide for subpoena duces tecum therefor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Bentley	Eddins	Givhan
Adams	Brannan	Evans	Hawkins
Allen	Carter	Gilchrist	Horton

James	McCain	Roberts	Taylor	
Lolley	Montgomery	Robison (Montgomery)	Tyson	
Lowe	Nichols	Robison (Pickens)	Wilson	
Mathews	Oden			—25

Nays: —0

The Bill:

H. 1079. Relating to counties having populations of not less than 51,000 nor more than 56,000; providing an additional appropriation for the tax collectors of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds	
Adams	Eddins	Lowe	Roberts	
Allen	Evans	Mathews	Robison (Montgomery)	
Bentley	Gilchrist	McCain	Shelton	
Brannan	Givhan	McDow	Smith	
Clark	Hammond	Oden	Wilson	
Cooper	James			—25

Nays: —0

The Bill:

H. 1277. To alter or rearrange the boundary lines of the Town of Elkmont, Limestone County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts	
Adams	Gilchrist	Mathews	Shelton	
Allen	Givhan	McCain	Smith	
Bentley	Hammond	McDow	Taylor	
Brannan	Hawkins	Montgomery	Tyson	
Clark	Horton	Oden	Wilson	
Dumas	Lolley			—25

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Tyson, further consideration of the Bill, H. B. 1281, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1282. To apply only in counties in the state having a population of not less than 300,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting

machines in all elections in the county may, in the manner herein prescribed, designate a voting center in each ward or precinct within the county at which the qualified electors of the ward and precinct may vote and prescribe the number of voting machines to be maintained at each voting center; to provide election officers for each voting center designated by the county governing body and prescribe the duties of such election officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Roberts
Allen	Evans	Mathews	Robison (Montgomery)
Bentley	Gilchrist	McDow	Robison (Pickens)
Brannan	Givhan	Montgomery	Smith
Carter	Hawkins	Nichols	Tyson
Clark	Horton		

—25

Nays:

—0

The Bill:

H. 969. To amend Act No. 173, H. 490, Regular Session 1953, an act creating an inferior court in St. Clair County so as to provide for appointment of a clerk or clerks for the court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Bentley	Gilchrist	McCain	Robison (Pickens)
Carter	Hammond	Metcalf	Taylor
Clark	Hornsby	Nichols	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

The Bill:

H. 1274. To amend and extend the corporation limits of the City of Russellville, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Oden
Adams	Dumas	Lowe	Roberts
Allen	Eddins	Mathews	Robison (Montgomery)
Bentley	Evans	McCain	Shelton
Brannan	Givhan	McDow	Smith
Carter	Hammond	Montgomery	Tyson
Clark	Hornsby		

—25

Nays:

—0

The Bill:

H. 1269. To apply only in counties having populations of not less than 17,400 nor more than 17,800; providing for payment of an expense allowance to the superintendent of education of any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Reynolds	
Adams	Dumas	Lolley	Roberts	
Allen	Eddins	Lowe	Robison (Pickens)	
Bentley	Evans	McCain	Shelton	
Brannan	Givhan	Metcalf	Taylor	
Carter	Hawkins	Nichols	Wilson	
Clark	Horton			—25

Nays:

—0

The Bill:

H. 1275. To provide that in all counties having a population of more than 600,000 inhabitants according to the last or any succeeding census, the towns or municipal corporations located therein are prohibited authority to impose any tax which will or can be levied on any transaction or sale of personal property by an itinerant or route salesman outside the police jurisdiction of such town or municipal corporation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lowe	Roberts	
Adams	Evans	Mathews	Robison (Montgomery)	
Allen	Gilchrist	McCain	Robison (Pickens)	
Bentley	Givhan	McDow	Smith	
Brannan	Hammond	Metcalf	Taylor	
Carter	Hawkins	Montgomery	Tyson	
Clark	Hornsby			—25

Nays:

—0

The Bill:

H. 1280. To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts	
Adams	Gilchrist	Mathews	Robison (Pickens)	
Allen	Givhan	McCain	Smith	
Bentley	Hammond	McDow	Taylor	
Brannan	Hawkins	Metcalf	Tyson	
Dumas	James	Oden	Wilson	
Eddins	Lolley			—25

Nays:

—0

The Bill:

H. 1278. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Glen Allen, in Marion County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Montgomery)
Carter	Givhan	McCain	Robison (Pickens)
Clark	Hornsby	McDow	Shelton
Cooper	Horton	Montgomery	Smith
Dumas	James		

—25

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 530 without his approval.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 530 without my signature and approval.

This said Senate Bill 530 is identical to House Bill 1114, which has passed both Houses of the Legislature and was signed into law on August 20, 1965.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Allen, the Senate sustained the Governor's veto to the Bill, S. B. 530, which said veto is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McDow	Robison (Pickens)
Allen	Hammond	Metcalf	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 540 with a suggested executive amendment.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 540, without my signature and approval, and with a suggested executive amendment.

It is suggested that you amend Senate Bill 540 by adding at the end of Section I, the following:

"Provided, however, such county board of education or city board of education shall provide free textbooks to all grades which would be provided under the terms of Act No. 221, Special Session, 1965, H. 40."

This suggested executive amendment is made with the full knowledge and approval of the author of said Senate Bill 540, and, if adopted, will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Roberts, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor to the Bill:

S. 540. To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

which said amendment is set out in the foregoing Message from His Excellency the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Pickens)
Adams	Gilchrist	McCain	Shelton
Allen	Givhan	McDow	Smith
Bentley	Horton	Metcalf	Taylor
Cooper	James	Oden	Tyson
Dumas	Lolley	Roberts	Wilson
Eddins	Lowe		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 523, without his approval.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 523, without my signature and approval.

This said Senate Bill 523 is identical to House Bill 1065, which has passed both Houses of the Legislature and was signed into law on August 20, 1965.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Roberts, the Senate sustained the Governor's veto to the Bill, S. B. 523, which said veto is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts	
Adams	Evans	Mathews	Shelton	
Allen	Gilchrist	McCain	Smith	
Carter	Hornsby	McDow	Taylor	
Clark	Horton	Oden	Tyson	
Cooper	James	Reynolds	Wilson	
Dumas	Lolley			—25

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 522 without his approval.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 522, without my approval and signature.

This said Senate Bill 522 is identical to House Bill 1064, which has passed both Houses of the Legislature and was signed into law on August 20, 1965.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Roberts, the Senate sustained the Governor's veto to the Bill, S. B. 522, which said veto is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts	
Adams	Evans	Mathews	Robison (Pickens)	
Allen	Gilchrist	McCain	Shelton	
Bentley	Givhan	Montgomery	Smith	
Brannan	Hammond	Nichols	Taylor	
Carter	Hawkins	Oden	Tyson	
Clark	Lolley			—25

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 594 with a suggested executive amendment.

Respectfully submitted,
CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 594, without my signature and approval, and with a suggested executive amendment.

It is suggested that you amend Senate Bill 594 by adding at the end of Section 1 thereof, the following:

"Provided, however, such county board of education or city board of education shall provide free textbooks to all grades which would be provided under the terms of Act No. 221, Special Session, 1965, H. 40."

This suggested executive amendment is made with the full knowledge and approval of the author of said Senate Bill 594, and, if adopted, will remove my objection to the bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Hawkins, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 594. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having a population of not less than 96,000 nor more than 106,000.

which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Metcalf	Robison (Montgomery)
Allen	Givhan	Montgomery	Robison (Pickens)
Bentley	Hawkins	Nichols	Taylor
Cooper	Horton	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—25

Nays:

—0

1950

JOURNAL OF THE SENATE, 1965

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill 223, without his approval.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 223, without my signature and approval.

This said Senate Bill 223 is identical to House Bill 633, which has passed both Houses and was signed into law on August 16, 1965.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Oden, the Senate sustained the Governor's veto to the Bill, S. B. 223, which said veto is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:
Adams
Allen
Bentley
Brannan
Carter
Clark

Cooper
Dumas
Evans
Gilchrist
Givhan
Hawkins
Horton

Lolley
Lowe
Mathews
McCain
McDow
Montgomery

Oden
Roberts
Robison (Montgomery)
Robison (Pickens)
Smith
Tyson

—25

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 1264. Relating to admissibility of evidence in civil actions in the courts of all counties having populations of not less than 20,050 nor more than 21,850, according to the most recent federal decennial census; to require persons taking or having possession of written statements with respect to accidents or injuries relative to which civil actions may be

filed in the court of such counties to furnish copies thereof to the person making such statements and prescribing the effect of failure to furnish copies in accordance with the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Metcalf	Taylor
Clark	Hornsby	Montgomery	Tyson
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

The Bill:

H. 446. To amend and revise Section 41 (d) (1), (2) and (3) of the 1940 Code of Alabama as amended, all of which refer to special restrictions on lamps on motor vehicles.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, H. B. 446, to-wit:

AMENDMENT TO HOUSE BILL 446

Amend House Bill 446 by inserting the words "of Title 36" immediately following "(3)" in the title of said bill.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Oden
Allen	Givhan	McCain	Reynolds
Bentley	Horton	McDow	Roberts
Clark	James	Montgomery	Shelton
Cooper	Lolley	Nichols	Taylor
Evans	Lowe		

—21

Nays:

—0

And said Bill, H. B. 446, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Allen	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Clark	Horton	Nichols	Taylor
Cooper	James	Oden	Tyson
Eddins	Lolley	Reynolds	

—26

Nays:

—0

The Bill:

H. 1075. To provide for the Public Health; to amend Title 22, Section 95, Code of Alabama 1940, as last amended by Act 170, Acts of Alabama, 1949 Regular Session, Page 197, so as to eliminate the requirement that pre-nuptial certificates required of applicants for a marriage license remain permanently attached to the marriage license.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Oden
Adams	Evans	Mathews	Reynolds
Allen	Gilchrist	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Clark	James	Montgomery	Taylor
Cooper	Lolley	Nichols	Wilson
Dumas			

—28

Nays:

—0

The Bill:

H. 696. To amend Act No. 209, Acts of Alabama, Special Session 1964, p. 279 regarding qualifications and registration of sanitarians, and regarding use of funds.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Adams	Gilchrist	McCain	Roberts
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hawkins	Metcalf	Shelton
Clark	Horton	Montgomery	Smith
Cooper	James	Nichols	Taylor
Dumas	Lolley	Oden	Wilson
Eddins	Lowe		

—29

Nays:

—0

The Bill:

II. 55. To amend the Code of Alabama 1940, Title 22, Section 3 and Section 7 relating to a quorum for the State Board of Health and the State Committee of Public Health.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Mathews	Roberts
Allen	Evans	McCain	Robison (Pickens)
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	James	Nichols	Wilson

—27

Nays:

—0

The Bill:

H. 56. To amend the Code of Alabama 1940, Title 46, Section 258, relating to the authority of the Board of Medical Examiners.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Mathews	Roberts
Allen	Evans	McDow	Robison (Pickens)
Bentley	Gilchrist	Metcalf	Shelton
Brannan	Givhan	Montgomery	Smith
Carter	Hammond	Nichols	Taylor
Clark	Horton	Oden	Wilson
Cooper	James		

—29

Nays:

—0

The Bill:

H. 1134. To amend Section 16 of Act No. 107, S. B. 2, passed by the 1965 Special Session of the Legislature of Alabama, so as to preserve the right of the State Board of Health to approve the source of water furnished by incorporated water authorities.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	James	Oden
Adams	Eddins	Lolley	Reynolds
Allen	Evans	Mathews	Roberts
Bentley	Givhan	McDow	Shelton
Brannan	Hammond	Metcalf	Smith
Clark	Hawkins	Montgomery	Taylor
Cooper	Horton	Nichols	Wilson

—27

Nays:

—0

FURTHER CONSIDERATION OF H. B. 699

The Senate proceeded to further consideration of the Bill, H. B. 699. The question was on the amendment offered by Mr. McCain.

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 18; Nays 7.

Yeas:

Messrs.:	Clark	James	Roberts
Adams	Cooper	Lolley	Shelton
Allen	Dumas	Lowe	Smith
Bentley	Evans	Mathews	Taylor
Brannan	Hawkins	McDow	

—18

Nays:

Messrs.:	Givhan	Metcalf	Robison (Pickens)
Eddins	McCain	Montgomery	Tyson

—7

Mr. Robison (Pickens) offered the following amendment to the substitute, as amended, for the Bill, H. B. 699, to-wit:

Amendment to Substitute, as amended, House Bill 699.

Amend H. B. 699 as substituted, by striking section 11, and, in lieu thereof substituting the following:

Section 11. The State Mental Health Officer; duties: powers. The Alabama Mental Health Board Shall elect an executive officer to be known as the State Mental Health Officer and shall fix his term of office and salary, such salary not to exceed that paid to the highest cabinet officer appointed by the Governor. The said State Mental Health Officer so elected shall, under the direction of the Alabama Mental Health Board, appoint all officers and employees of the Board, or he may authorize any Superintendent, Division or Bureau Head, or other administrator, to select with his approval all staff members and employees, and shall fix the salaries of the officers and employees in line with salaries paid for like or similar duties to employees under the State Merit System, providing further, that no employee, Superintendent, Department Head or administrator, shall be paid from state funds in any amount in excess of limits set by legislative act for merit system employees; provided further that neither the director nor any employee of the State Mental Health Board receive any supplemental salary, remuneration or grants from non-state funds, except that the same shall be reported in the annual report to the Alabama Legislature; as to amount, source, purpose and specific services rendered. The said State Mental Health officer shall act for the Alabama Mental Health Board and shall carry out the policies of the Board when it is not in session, exercising all its powers and shall report his actions to said board for confirmation or modification. The State Mental Health Officer may be removed from office by a majority of the Board for justifiable causes fully set forth in the minutes of their meeting.

The State Mental Health Officer shall exercise supervision over all the officers and employees of the Alabama Mental Health Board, and should any such officer or employee fail to perform faithfully any of the duties which are lawfully prescribed for him, or if he fails or refuses to observe or conform to any rule, regulation, or policy of the Alabama Mental Health Board, the State Mental Health Officer may remove him from office.

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 17; Nays 7.

Yeas:

Messrs.:
Adams
Allen
Bentley
Carter

Clark
Cooper
Evans
Gilchrist
Hawkins

James
Lolley
Mathews
Metcalf

Roberts
Shelton
Taylor
Wilson

—17

Nays:

Messrs.:
Dumas

Eddins
Givhan

McCain
Montgomery

Robison (Pickens)
Tyson

—7

Mr. Dumas offered the following amendment to the substitute, as amended, for the Bill, H. B. 699, to-wit:

Amendment to H. B. 699, as amended

H. B. 699 is hereby amended as follows:

At the end of Section 13 add an additional section reading as follows:

"Section 13A. Nothing contained in this Act shall change or alter the methods, means or procedures provided by law before the enactment of this Act for the commitment or release of any person alleged to be non compos mentis, incompetent, mentally ill or emotionally disturbed. No person shall be committed to any institution established pursuant to the provisions of this Act without his consent or except by due process of law in a court of competent jurisdiction."

Which was adopted.

Mr. Shelton offered the following amendment to the substitute, as amended, for the Bill, H. B. 699, to-wit:

Amendment to H. B. 699, as amended

In paragraph (4) of Section 10, as amended, add at the end thereof the following:

Provided, that with the consent of the members of his immediate family a resident of this State may be transferred to a mental hospital or other facility of another State if the members of the patient's immediate family have removed to the other State.

Also, in paragraph (5) of Section 10, as amended, add the following proviso:

Provided, that with the consent of the members of his immediate family a resident of this State may be transferred to a mental hospital or other facility of another State if the members of the patient's immediate family have removed to the other State.

Which was adopted.

Mr. McCain offered the following amendment to the substitute, as amended, for the Bill, H. B. 699, to-wit:

AMENDMENT TO H. B. 699, as amended

Amend sub-section (5) of Section 8 of House Bill 699, as amended, by adding at the end thereof the following:

Provided, however, that all sums of money appropriated to the Alabama State Hospitals and the Partlow State School and Hospital by the 1965 Regular and Special Sessions of the Legislature shall be applied to the use intended by the Act appropriating the same, and shall be used for no other purpose, and shall be kept in a separate account.

Which was adopted.

Mr. McCain then offered the following amendment to the substitute, as amended, for the Bill, H. B. 699, to-wit:

AMENDMENT TO H. B. 699, as amended

In Section 14 at the end of the section and as a part thereof add the following:

"Any member of the Legislature, any member of the Mental Health Board, or any holder of any office of profit with the State, who takes any contract, for work or services of the Mental Health Board or any of its agencies, or is employed in any way under such contract, or sells

any goods or supplies to the Mental Health Board or any of its agencies, or is in any wise pecuniarily interested in any such contract or sale, as principal or agent, must, on conviction be fined not less than \$50 nor more than \$1,000, and also forfeit his office."

Which was adopted.

Mr. McCain then offered the following amendment to the substitute, as amended, for the Bill, H. B. 69, to-wit:

AMENDMENT TO H. B. 699, as amended

In Section 8, at the end of item (7) and as a part if such item add the following:

"No purchases, except for rights-of-way, shall be made from nor shall any sales be made to any member of the Legislature, any member of the Mental Health Board, hereby created, or any other person holding an office of profit with the State of Alabama."

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 76. Relating to all cities in the State of Alabama having populations of not less than 50,000 nor more than 60,000 according to the most recent federal decennial census; to provide for the operation of all such cities under the commission form of government; to regulate the powers, duties, qualifications, manner of nomination and election, terms of office, and compensation of the commissioners thereof, and to repeal the conflicting provisions of Act No. 112, Acts of Alabama 1951, page 337.

Also:

H. 125. To amend Sections 9, 14 and 16 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as amended (relating to gas districts), so as to provide that a gas district organized under the provisions of said act, as amended, may issue refunding bonds (whether or not the bonds to be refunded are then subject to redemption) in principal amount not exceeding the principal amount of the bonds to be refunded plus any premium necessary to redeem or retire any such bonds, any interest (accrued or to accrue) on such bonds to the date of redemption or retirement thereof and any expenses estimated to be incurred in connection with such refunding, so as to provide that any such refunding bonds may be issued by sale or exchange or any combination thereof, so as to authorize any such district to issue bonds for the combined purpose of so refunding any of its bonds and of acquiring, constructing, providing, improving or extending any gas system or systems, so as to specify with more particularity the purposes for which the proceeds from any such refunding bonds shall be used and so as to exempt gas districts more fully from taxation.

Also:

H. 144. To make a conditional appropriation from the Alabama special educational trust fund for the reconstruction of the John Essex School, in Marengo County, and for replacement of equipment destroyed by fire.

Also:

H. 218. To provide for exclusion of certain municipal privilege licenses in the computation of the state lodgings tax levied and imposed by Act No. 248, Regular Session 1955, as amended.

Also:

H. 222. To repeal Section 676, Title 51, Code of Alabama 1940.

Also:

H. 312. To amend further Code of Alabama 1940, Title 41, Section 154, which relates to the limitation of per diem expenses allowed state employees traveling on official business.

Also:

H. 438. To make an appropriation from the state treasury for the relief of Wilburn Frank Wesson.

Also:

H. 571. To amend further Section 1, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to further define the terms "sale at wholesale" and "wholesale sale."

Also:

H. 170. To amend Sections 10 and 14 of Act No. 576, Acts of Alabama 1959, approved November 19, 1959, entitled "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat livery; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act", as amended by Act No. 878, Acts of Alabama 1961, Regular Session, approved September 8, 1961.

Also:

H. 572. To amend further Code of Alabama 1940, Title 51, Section 787, which relates to definitions used in the state use tax law, so as to re-define the terms "wholesale sale" or "sale at wholesale."

Also:

H. 586. To provide for the establishment, regulation of, and an appropriation for the financing of a Scholarship-loan and awards program for the study of dentistry; repealing Section 509 (13) of Title 52 of the Code of Alabama 1940, as recompiled, and all laws conflicting therewith.

Also:

H. 653. To eradicate, control and prevent the spread of diseases of honeybees by requiring the registration of apiaries with the Commissioner of Agriculture and Industries, prescribing the registration fee and regulating the movement or shipment of honeybees, apiary equipment and supplies into and within the State of Alabama; to provide for apiary inspections, quarantines and the destruction and abatement of diseased bees, apiary equipment and supplies; to prescribe the powers and duties of the Commissioner of Agriculture and Industries for the administration and enforcement of this Act; to authorize the adoption of rules and regulations; to prescribe a penalty for violations; to repeal Act No. 735, Legislature of 1953, approved September 17, 1953.

Also:

H. 664. Relating to elections; authorizing and providing for absentee voting by seamen, sailors, and mariners.

Also:

H. 703. To provide a personnel merit system for the administration, control, and regulation of employment in the service of the Alabama State Hospitals and the Partlow State School and Hospital.

Also:

H. 728. Relating to crimes and offenses: To make it a crime to avoid or attempt to avoid, with intent to defraud, payment or billing of lawful charge for telecommunication service, or knowingly, with intent to avoid payment or billing of such lawful charge, to conceal or attempt to conceal existence, place of origin or destination or sender, addressee or receiver of message, signal or communication by or over facilities of telecommunication from supplier of such service, or to use, attach or cause to be attached prohibited instrument, or to in any manner manipulate, tamper or interfere to or with communication line, channel, device or facility of supplier of telephone, telegraph or telecommunication service, or to make, manufacture, possess, use, employ, transport, purchase, transfer, sell, offer or advertise to sell, prohibited instrument; to define term prohibited instrument; to establish rules of evidence in connection therewith; to prescribe penalties therefor; to provide for the search, seizure and destruction of prohibited instruments; to repeal Act No. 420, Acts of Alabama, Regular Session 1959, approved November 13, 1959, and all other conflicting laws.

Also:

H. 729. To amend Section 787 (e), as amended, Title 51, Code of Alabama 1940, so as to make the sale of tangible personal property to undertakers and morticians a sale at retail.

Also:

H. 750. To apply only in counties of the State having populations of not less than 10,000 nor more than 10,900 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

H. 774. To provide for pretrial conferences in civil cases pending in the circuit courts of counties having populations of more than 600,000.

Also:

H. 900. To amend Section 7 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, v. 1, p. 429) in relation to the compensation of the chairman and members of the board of revenue, court of county commissioners, or other like governing body of any county having a population of not less than 96,000 nor more than 106,000.

Also:

H. 902. To amend Section 521 of Title 37 of the Code of Alabama of 1940 so as to provide that a municipality need not advertise for bids from contractors, pursuant to the requirements of that section, with respect to construction to be performed, or labor, materials and services, or any of them, to be furnished, by the State of Alabama pursuant to contract between the said municipality and the state.

Also:

H. 915. To amend Sections 10(10), 10(11), 10(13), Title 45, Chapter 1B, Code of Alabama.

Also:

H. 916. To amend Section 31 of Title 23, Code of Alabama 1940.

Also:

H. 917. To amend Act No. 202 of the 1953 Regular Session of the Legislature of Alabama.

Also:

H. 931. To amend Section 1 of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as heretofore amended, so as to authorize industrial development boards heretofore or hereafter organized under said act to finance, acquire and lease, as projects thereunder, linen rental processing and storage facilities and so as to restore certain portions of said Section 1 inadvertently omitted therefrom by the most recent amendment thereof (Act No. 164 enacted at the 1964 Special Session), to restore certain other changes omitted by said amendment and to correct certain technical errors made by said amendment.

Also:

H. 947. To regulate the salary of the jailer in Randolph County, payable out of the general funds of the county.

Also:

H. 1037. Relating to Cherokee County; further regulating the salaries of the chairman and members of the county board of revenue.

Also:

H. 1050. Relating to counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain functions and duties from the Judge of Probate to the Tax Collector; relieving the Judge of Probate of such duties; providing for the payment of all fees for such duties to the County Treasurer or County Depository to the credit of the general fund of such county and the payment of additional compensation to the Tax Collector for the performance of the additional duties and the additional responsibilities imposed by this act, effective with the next term of any such Tax Collector; and repealing conflicting laws.

Also:

H. 1117. Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers.

Also:

H. 1124. To alter, rearrange and extend the boundary lines and corporate limits of the City of Scottsboro, in Jackson County, Alabama; and to prescribe the time when this Act shall become effective.

Also:

H. 1129. To establish in any county of this State having a population of 600,000 or more people according to the last or any future Federal Census a Board to review and license the exhibiting of movies to minors under eighteen (18) years of age; to provide for a judicial determination of the issue of fitness of any movie or view for viewing by minors under eighteen (18) years of age; and to provide penalties.

Also:

H. 1160. Relating to certain municipal corporations; amending Section 21 of Title 37, Code of Alabama, 1940, in relation to the forfeiture of charter; causes of forfeiture, by certain municipalities.

Also:

H. 1172. To amend Act No. 515, H. 756, Regular Session 1963 (Acts 1963, p. 1100), an act providing for a privilege license tax in Franklin County on the sale, distribution, storage, use, or other consumption in the county of cigarettes and cigars.

Also:

H. 1173. To Provide for an expense allowance for the Circuit Solicitor of the 33rd Judicial Circuit of Alabama, who resides and has an office at the County site of Geneva County, Alabama; and providing for the payment of such expense allowance out of the General Fund of Geneva County, Alabama.

Also:

H. 1186. To regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 13,650 nor more than 14,350, according to the 1960 or any subsequent federal decennial census.

Also:

H. 1190. To provide retirement allowances for certain elected officials and former elected officials of Mobile County and of incorporated municipalities therein; providing for contributions by elected officials from the salaries paid them as public officials; providing for approval of a majority of the voters in the respective political subdivisions before the provisions of this act can become operative as to any such subdivision.

Also:

H. 1214. To apply only in counties having populations of not less than 25,500 nor more than 25,700; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 187, Acts of Alabama 1964, page 253.

Also:

H. 1215. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing for the payment of an expense allowance to the judge of the county court in any such county.

Also:

H. 1216. To provide for the calculation and payment of salaries on a monthly, semi-monthly, each two weeks or weekly basis of all elected officials in counties in this State having a population of 500,000 or more according to the last, or any subsequent Federal census; to provide for the repeal of all laws or parts of laws, general, special or local in conflict herewith; and to provide for the effective date of this Act.

Also:

H. 1218. To further amend Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376-400) as heretofore amended.

Also:

H. 1219. Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; further regulating the execution of civil processes issued by justice of the peace courts and ex officio justice of the peace courts in precincts lying within, or partly within, any city or incorporated town having more than fifteen hundred inhabitants and located in a county to which this Act applies; providing that all such civil processes issued by such justice of the peace courts and ex officio justice of the peace courts shall only be executed or served by the regular constable elected or appointed to serve such precinct, or by deputy constables appointed by him, or by the Sheriff or Chief Deputy Sheriff of such county, or by any deputy sheriff of such county whose compensation is regularly paid from the general funds of such county under authorization of local legislation enacted by the Legislature of Alabama; further authorizing the appointment of not more than three deputy constables by the regular constable elected or appointed to serve such precinct and prescribing their qualifications, powers and duties.

Also:

H. 1224. To levy in Winston County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in such county of cigarettes and cigars; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes and cigars, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes and cigars; to provide that the tax shall be in addition to all other taxes now levied by law; to require the affixing of stamps to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

Also:

H. 1220. Relating to all counties in the State of Alabama having a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; authorizing the court of county commissioners or other like governing body of such counties to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

Also:

H. 1225. To provide for the relief of T. A. Baldy of Winston County; authorizing and directing the governing body of Winston County to compensate T. A. Baldy for medical and hospital expenses incurred and for personal injuries suffered by him in connection with an injury received while performing his duty as a deputy sheriff of the county.

Also:

H. 1226. To provide additional deputies for the sheriff of Winston County in lieu of the additional deputies heretofore provided by law; to provide for the appointment of such deputies to prescribe their duties and to fix their compensation, payable out of the general funds of the county; to repeal Act No. 158, S. 166, Regular Session 1927 (local acts 1927, p. 69) and Act No. 203, H. 617, Regular Session 1947 (local acts 1947, p. 121) both of which Acts provide for additional deputies to the sheriff of Winston County.

Also:

H. 1232. To alter and rearrange the boundaries between the cities of Mobile and Prichard so as to detach certain territory from the city of Mobile and annex the same to the City of Prichard.

Also:

H. 1234. To authorize the Director of Conservation to open a season in counties having a population of not less than 300,000 nor more than 500,000, for the hunting of female deer or unantlered male deer.

Also:

H. 1235. Relating to counties having populations of not less than 25,800 nor more than 26,700; providing an expense allowance for the superintendent of education in any such county.

Also:

H. 1236. To provide an expense allowance for the Clerk of the Circuit Court in all Counties in the State of Alabama having a population of not less than One Hundred Thousand (100,000) nor more than One Hundred Fifteen Thousand (115,000) inhabitants according to the last or any subsequent Federal decennial census.

Also:

H. 1238. To authorize the court of county commissioners, board of revenue, or other like governing body of Coffee County to make an appropriation from the county treasury for the relief of D. B. Adkinson, a deputy sheriff who was injured in the line of duty.

Also:

H. 1239. Relating to Escambia County; requiring the tax collector to send certain notices to taxpayers by mail, and providing for the cost of payment for postage.

Also:

H. 1240. Relating to Escambia County; providing expense allowances for the chairman and members of the board of county commissioners; amending Sections 2 and 4 of Act No. 411, H. 742, Regular Session 1963.

Also:

H. 1241. To provide further for purging the lists of registered voters in Escambia County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing penalties for making a willful false statement in connection with reidentification.

Also:

H. 1242. To provide further for funds for the maintenance and operating of the Law Library of Etowah County; to impose trial taxes on certain litigation in Etowah County and provide for the proceeds thereof to be paid into the Etowah County Law Library Fund.

Also:

H. 1243. To provide further for the selection of textbooks and instructional materials for use in the public schools in Etowah County.

Also:

H. 1247. Relating to Geneva County; fixing the compensation and providing an expense allowance for members of the county governing body.

Also:

H. 1249. Relating to counties having populations of not less than 60,500 nor more than 65,000; providing that minutes of meetings, and any information, document, record, or statement disclosed or made at such meetings, of the medical staff and certain committees thereof of any hospital in any such county shall be privileged communications and not subject to use as evidence in civil actions or proceedings.

Also:

H. 1253. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Sweet Water in Marengo County, Alabama.

Also:

H. 1256. Relating to counties having populations of not less than 300,000 nor more than 600,000 and to counties contiguous to any county having such population; providing for the control and abatement of arthropods in such counties; creating and establishing an Arthropod Control Board for each such county, and prescribing its powers and duties; providing for the qualifications, appointment, terms, and compensation of the members of such Boards and a director thereof.

Also:

H. 1259. To confer additional powers and authority upon the recorder of the City of Decatur in relation to remission of fines and costs, suspension of sentences, and granting of pardons and paroles.

Also:

H. 1262. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of the Regular Session of the Legislature of Alabama of 1951, pages 1571 et seq.) as heretofore amended.

Also:

H. 1263. Relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 350. Further regulating commercial fishing in public waters in Cherokee County, so as to prescribe limitations relating to the fishing gear to be used by licensed commercial fishermen.

Also:

H. 966. Relating to counties having a population of not less than 25,800 nor more than 26,700 according to the most recent federal decennial census; to provide further for the selection of textbooks and instructional materials for use in the public schools in such counties.

Also:

H. J. R. 102. Relative to petitioning the Congress to call a Convention for the purpose of proposing an amendment to the Constitution of the United States.

Also:

H. J. R. 122. Relative to creating a study committee to investigate the construction of a toll bridge connecting Dauphin Island and Fort Morgan.

Also:

H. J. R. 158. Relative to designating "The Iola Roberts Elementary School".

Also:

H. J. R. 159. Relative to designating "The O. D. Duran Junior High School.

Also:

H. J. R. 160. Relative to commending Congressman Armistead Selden.

Also:

H. J. R. 161. Relative to civil rights demonstrations and assemblies.

Also:

H. J. R. 162. Relative to congratulating Miss Carol Poole upon her election as President of the Alabama Association, Future Homemakers of America.

Also:

H. J. R. 165. Relative to designating the "George C. Wallace Building" of the Bay Minette Junior College.

Also:

H. J. R. 167. Relative to naming House Bill 312.

Also:

H. J. R. 168. Relative to expressing appreciation to the staff of the Legislative Reference Service.

Also:

H. J. R. 169. Relative to expressing appreciation to the personnel and clerical staff of the Legislature.

Also:

H. J. R. 170. Relative to expressing regret upon the death of Mrs. Pearl Ramage Reeves of Troy.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 128. To create the State Employees' Insurance Board and authorize such Board to provide a health insurance plan for employees of the State of Alabama; to define the terms used in this Act; to provide for the contents of such health insurance plan and to define eligibility requirements for participation in such plan; to authorize the Board to execute contracts to provide benefits under such plan; to authorize the inclusion of retiring state employees and the dependents of state employees and retiring state employees in such plan; to provide for the payment of benefits under such plan; to provide for a State Employees' Insurance Fund and for contributions thereto; to provide for the financing of the health insurance plan; to authorize the Board to adopt and promulgate rules and regulations for the administration of such plan; to provide an effective date of this Act and repeal all laws in conflict therewith.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 128, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 128

Amend Senate Bill 128 by adding at the end of Section 9 subsection (1), to become a part of said subsection, the following:

"Provided, however, that not more than the sum of one hundred dollars (\$100.00) shall be expended for each employee insured during any one fiscal year."

AMENDMENT TO SENATE BILL 128

Amend Senate Bill 128 by amending Section 6 thereof by striking out the last sentence of the first paragraph and inserting in lieu thereof the following:

"The contract executed by the board with the selected carrier shall be a contract to cover all employees of the State subject to the provisions of this Act, provided, however, that nothing contained in this Act shall prohibit other insurance carriers from soliciting additional health and other types insurance coverage with State employees and nothing contained in this Act shall prohibit the Director of Finance from authorizing payment of premiums for such additional health and other types of coverage by payroll deduction."

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dumas	Horton	Metcalf
Allen	Evans	James	Montgomery
Bentley	Gilchrist	Lolley	Nichols
Brannan	Givhan	Lowe	Smith
Clark	Hawkins	Mathews	Taylor
Cooper	Hornsby	McDow	Wilson

—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 374. To authorize the director of finance to transfer title to certain personal property of the Alabama Civil War Centennial Commission.

Also:

S. 466. To alter and rearrange the boundaries of the City of Mobile so as to reduce the corporate limits and exclude certain territory from the city.

Also:

S. 595. To apply only in Walker County: To authorize, provide for, and regulate the introduction in evidence in any court in such county, when the original thereof would be relevant and material, of certified copies of certain hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probative value of such records.

Also:

S. 596. Relating to Walker County; to provide further for probating uncontested wills in such county.

Also:

S. 598. To provide for an action of ejectment to recover possession of real property in Walker County by a purchaser of such real property at a mortgage foreclosure sale or by one claiming under such purchaser, and to regulate the proceedings in such action.

Also:

S. 605. To repeal Act No. 348, H. 803, approved August 30, 1963 (Acts of Alabama 1963, vol. 2, p. 842), entitled, "An Act To prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months, and describing penalties."

Also:

S. 607. To amend Act No. 209, S. 120, Regular Session 1963, an act providing for and requiring reidentification of electors in Jackson County.

Also:

S. 608. To allow the establishment of branch banks in Jackson County.

Also:

S. 610. To alter or rearrange the boundary lines of the Town of Elkmont, Limestone County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto in Limestone County, Alabama.

Also:

S. 606. To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 174. To amend Section 6 of Act No. 109, H. 148, Regular Session 1961 (Acts 1961, p. 134), relating to municipal public hospital facilities; authorizing the governing body in any municipality in which such hospital is incorporated to provide for a self-perpetuating board of directors.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 405. Relating to admissibility of evidence in civil actions in the courts of all counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; to require persons taking or having possession of written statements with respect to accidents or injuries relative to which civil actions may be filed in the courts of such counties to furnish copies thereof to the person making such statements and prescribing the effect of failure to furnish copies in accordance with the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Hawkins moved that the Senate concur in and adopt the following House amendment to the Bill, S. B. 405, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 405

In the caption and in Section 1 of the bill strike out the figures "96,000" and insert the figures "65,000".

Mr. Gilchrist moved as a substitute motion that the Senate non-concur in the House amendment to the Bill, S. B. 405, and request Committee on Conference. On motion of Mr. Hawkins, the motion to non-concur and request Committee on Conference was laid on the table.

Yeas 18; Nays 12

Yeas:

Messrs.:	Hammond	Lolley	Nichols
Allen	Hawkins	Lowe	Shelton
Bentley	Hornsby	McCain	Taylor
Brannan	Horton	McDow	Wilson
Dumas	James	Montgomery	

REGULAR SESSION

1969

Nays:

Messrs.:	Cooper	Gilchrist	Reynolds
Adams	Eddins	Givhan	Robison (<i>Pickens</i>)
Carter	Evans	Mathews	Smith
Clark			—12

Mr. Gilchrist then moved that the Senate non-concur in the House amendment to the Bill, S. B. 405.

On motion of Mr. Hawkins, the motion to non-concur was laid on the table.

The question then recurred on the motion of Mr. Hawkins that the Senate concur in the House amendment to the Bill, S. B. 405, which motion was adopted.

Yeas 18; Nays 12

Yeas:

Messrs.:	Hammond	Lowe	Nichols
Allen	Hawkins	McCain	Shelton
Bentley	Hornsby	McDow	Smith
Brannan	Horton	Metcalf	Wilson
Dumas	James	Montgomery	—18

Nays:

Messrs.:	Cooper	Gilchrist	Mathews
Adams	Eddins	Givhan	Reynolds
Carter	Evans	Lolley	Robison (<i>Pickens</i>)
Clark			—12

FURTHER CONSIDERATION OF H. B. 699

The Senate proceeded to further consideration of the Bill, H. B. 699. The question was on the amendment offered by Mr. McCain, and said amendment was then adopted.

Mr. McCain then offered the following amendment to the substitute, as amended, for the Bill, H. B. 699, to-wit:

AMENDMENT TO H. B. 699

Amend Section 21 of H. B. 699 by adding after the said section 21 an additional sentence reading as follows:

"However nothing in this Act shall be construed so to repeal House Bill 703 enacted at the 1965 Regular Session of the Legislature."

Which was adopted.

Mr. McCain then offered the following amendment to the substitute, as amended, for the Bill, H. B. 699, to-wit:

AMENDMENT TO SUBSTITUTE FOR HOUSE BILL 699

Amend Substitute for House Bill 699 by adding at the end of Section 11 the following:

"Provided however, that nothing in this Act shall prevent the Superintendent of the Alabama State Hospitals from serving as Mental Health Commissioner, until such time as the Board of Trustees shall direct otherwise."

Which was adopted.

Mr. McCain then offered the following amendment to the substitute, as amended, for the Bill, H. B. 699, to-wit:

AMENDMENT TO SUBSTITUTE FOR HOUSE BILL 699

Amend Substitute for House Bill 699 by adding at the end of Section Two the following: and for the payment of the expenses of operating the Headquarters, including the salary of the Commissioner, the Staff and Clerical Assistants, there is hereby appropriated out of the General Fund of the State the sum of One Hundred Thousand Dollars (\$100,000.00) for the fiscal year 1965-66 and a like amount for the fiscal year 1966-67 and any such sum not used at the end of the fiscal year shall revert back to the treasury of the State of Alabama.

Which was lost.

And said substitute, as thus amended, for the Bill, H. B. 699, was then adopted.

Yeas 31; Nay 1.

Yeas:

Messrs.:	Dumas	James	Nichols
Adams	Eddins	Lolley	Oden
Allen	Evans	Lowe	Reynolds
Bentley	Gilchrist	Mathews	Shelton
Brannan	Givhan	McCain	Smith
Carter	Hawkins	McDow	Taylor
Clark	Hornsby	Metcalfe	Tyson
Cooper	Horton	Montgomery	Wilson

—31

Nay: Mr. Robison (Pickens)

—1

And said Bill:

H. 699. Relating to the public health; providing for the merging of Alabama State Hospitals, Partlow State School and Hospital, the Commission on Alcoholism, and the Division of Mental Hygiene of the State Board of Health; naming the new corporation the Alabama Mental Health Board; authorizing it to coordinate all operations and activities of the State related to mental health; creating a board of trustees for the new corporation and providing for its duties, powers, and authority; prescribing penalties for certain violations; providing for a State Mental Health Officer and prescribing his duties; providing for court review of final decisions of the Alabama Mental Health Board; providing for transfer of patients and records between elements of services; prescribing a report to the Governor and the Legislature; providing for burgetary support; and repealing laws in conflict herewith.

as thus amended by the substitute, was then read a third time at length and passed.

Yeas 27; Nays 6.

Yeas:

Messrs.:	Cooper	James	Oden
Adams	Dumas	Lolley	Reynolds
Allen	Evans	Lowe	Roberts
Bentley	Gilchrist	Mathews	Shelton
Brannan	Hawkins	McDow	Smith
Carter	Hornsby	Metcalfe	Taylor
Clark	Horton	Nichols	Wilson

—27

Nays:

Messrs.:
Eddins

Givhan
McCain

Montgomery
Robison (Pickens)

Tyson

—6

The Bill:

H. 1090. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

was taken up.

Mr. Brannan offered the following substitute for the Bill, H. B. 1090, to-wit:

Substitute for H. B. 1090

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Baldwin County shall be entitled to receive annual salaries in lieu of any fees, commissions, percentages, and allowances, except as herein otherwise provided:

The judge of probate shall receive an annual salary of \$12,000, which shall include his compensation for all ex officio duties.

The tax assessor shall receive an annual salary of \$12,000.

The tax collector shall receive an annual salary of \$12,000.

The sheriff shall receive an annual salary of \$12,000.

The clerk of the circuit court shall receive an annual salary of \$8,000, which shall include his compensation for all ex officio duties.

The register of the circuit court shall receive an annual salary of \$4,000.

The coroner shall receive an annual salary of \$1,200.

Section 2. The court of county commissioners, board of revenue, or other like governing body of Baldwin County, shall provide compensation for clerks, deputies, assistants, and secretaries for the officers enumerated in this Act in such number as may be reasonably necessary for the efficient conduct of their respective offices. Each of the officers enumerated in Section 1 of this Act shall select, discharge, and fix the salaries of his subordinates. However, the maximum allowances for clerk hire and salaries for assistants for each of such officers shall be as follows:

For the probate judge, the sum of \$26,000 per annum;

For the sheriff, the sum of \$40,000 per annum;

For the tax collector, the sum of \$10,000 per annum;

For the tax assessor, the sum of \$19,000 per annum;

For the clerk of the circuit court, the sum of \$7,000 per annum.

In addition, the probate judge, the tax assessor, and the tax collector shall each be entitled to ten cents per mile for each mile traveled on the annual visits to precincts in October and November of each year as provided by law; also, the sheriff shall be entitled to the allowances payable by the state for feeding prisoners and also such mileage and expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside the county.

Total salary and clerk hire and pay for assistants shall not exceed total amount paid under present fee system.

Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers named in Section 1 shall be collected hereafter for the use of the county and shall be paid into the general fund of the county. The compensation of the officers named in Section 1, and of their clerks, deputies, secretaries, and other assistants shall be paid in equal monthly installments from the general fund of the county.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Baldwin County shall provide the officers named in this Act with the books, stationery, office equipment, supplies, postage, and other conveniences necessary for the proper and efficient conduct of the affairs of their respective offices; and shall allow the sheriff such an amount as may be necessary to pay the expenses of operating his office, including travel expenses.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall supersede Act No. 357, H. 707, Regular Session 1963 (Acts 1963, p. 857), and all other laws or parts of laws in conflict herewith.

Section 7. This Act shall take effect on the expiration of the current term of office of each of the officers who are affected thereby; and upon ratification of an amendment to the Constitution authorizing the legislature to change the method of compensating the officers named in this Act.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Robison (Pickens)
Adams	Evans	Metcalf	Shelton
Allen	Gilchrist	Montgomery	Smith
Brannan	Hornsby	Nichols	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

And said Bill, H. B. 1090, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Robison (Pickens)
Adams	Evans	Metcalf	Shelton
Allen	Gilchrist	Montgomery	Smith
Brannan	Hornsby	Nichols	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

MOTION TO RECONSIDER

Mr. Bentley moved that the Senate reconsider the vote by which it indefinitely postponed consideration of the Bill, H. B. 983, and the Senate did reconsider said vote.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Metcalf	Robison (Montgomery)
Bentley	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

Mr. Bentley then moved that the Senate reconsider the vote by which the Bill, H. B. 983, was ordered to its third reading, and the Senate did reconsider said vote.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Metcalf	Robison (Montgomery)
Bentley	Hawkins	Montgomery	Smith
Carter	Hornsby	Nichols	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

Mr. Bentley then offered the following amendment to the Bill, to-wit:

Amendment to H. B. 98

In Section 1, second paragraph, eleventh line, strike out the words "at the election to be held" and insert in lieu thereof the words "at the general election to be held"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Mathews	Reynolds
Bentley	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Oden	Wilson
Eddins	Lolley		

—25

Nays:

—0

And said Bill:

H. 983. To amend Sections 2 and 4 of Act No. 228, S266, Regular Session 1963, an act establishing the court of county commissioners of Blount County.

as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Bentley	Hawkins	McCain	Smith
Carter	Hornsby	Nichols	Taylor
Clark	Horton	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 591. To authorize and provide for an interpreter wherein any person either totally deaf, or who has defective hearing, or who has defective speech or has both defective hearing and speech, who is either a plaintiff or defendant in any cause at law or is either the complainant or respondent in any cause in equity or is legally summoned as a material witness in any Circuit Court or Court of Record within the State of Alabama; the manner in which such interpreters are selected; the required qualifications of such interpreters, and the manner and form in which such interpreters are compensated for their services when called.

Also:

H. 1231. For the relief of MRS. EMMA J. BRAY authorizing the County Commission of Mobile County to make an appropriation of County funds to compensate for personal injuries received by MRS. BRAY on the Courthouse premises.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 486. Regulating costs and charges of courts in Jefferson County; prescribing the fees and commissions of constables, and repealing conflicting laws.

Also:

H. 969. To amend Act No. 173, H. 490, Regular Session 1953, an act creating an inferior court in St. Clair County, so as to provide for appointment of a clerk or clerks for the court.

Also:

H. 1004. To amend Section 2 of Act No. 116, S. 7, approved September 15, 1961 (Acts 1961, v. II, p. 2041), an Act relating to Lauderdale County and providing for the appointment and compensation of a Secretary to the county Sheriff, so as to increase the amount of compensation payable.

Also:

H. 1079. Relating to counties having populations of not less than 51,000 nor more than 56,000; providing an additional appropriation for the tax collectors of such counties.

Also:

H. 1096. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex territory to the said City.

Also:

H. 1269. To apply only in counties having populations of not less than 17,400 nor more than 17,800; providing for payment of an expense allowance to the superintendent of education of any such county.

Also:

H. 1270. To regulate the compensation and allowances of regular jurors serving in court in Dale County.

Also:

H. 1273. To apply only in counties having a population of not less than 96,000 nor more than 116,000 inhabitants according to the 1960 or any subsequent decennial census of the United States; Providing for an Administrative Consultant to the Circuit Clerk of such Counties of Alabama, and to prescribe the qualifications, duties, compensation, and terms of such administrative Consultants.

Also:

H. 1274. To amend and extend the corporation limits of the City of Russellville, Alabama.

Also:

H. 1275. To provide that in all counties having a population of more than 600,000 inhabitants according to the last or any succeeding census, the towns or municipal corporations located therein are prohibited authority to impose any tax which will or can be levied on any transaction or sale of personal property by an itinerant or route salesman outside the police jurisdiction of such town or municipal corporation.

Also:

H. 1267. To apply in all counties in this state having populations of not less than 76,000, and not more than 116,000, according to the latest or any subsequent federal decennial census, and to provide for and authorize the introduction in evidence in any court in Alabama in such counties, when relevant and material, certified copies of hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, clinical, hospital, occupational, disease, injury and disability histories, X-rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, a well as employees of such hospital, forming a part of such hospital records, as to the health, physical and mental condition, state, sickness, disease, mental and physical disorders, damages, duration and character of disabilities, diagnosis, prognosis, progress, operations, incisions, injuries, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicines, treatment and care and charge sheets and the costs, expenses, fees and charges therefor and thereof, as to and of a patient in said hospital, when the custodian of such hospital records certifies and affirms in writing that the same are an exact, full, true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records but they shall not affect their admissibility; and to provide for the cost and the **taxing thereof** for said copy and certificate and affirmance in writing thereto and the filing of said copy with the clerk or register of the court having jurisdiction of the suit or proceeding, and to provide for subpoena duces tecum therefor.

Also:

H. 1277. To alter or rearrange the boundary lines of the Town of Elkmont, Limestone County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

Also:

H. 1282. To apply only in counties in the state having a population of not less than 300,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, designate a voting center in each ward or precinct within the county at which the qualified electors of the ward and precinct may

vote, and prescribe the number of voting machines to be maintained at each voting center; to provide election officers for each voting center designated by the county governing body and prescribe the duties of such election officers.

Also:

H. 1283. To amend further Act No. 477, H. 861, Regular Session 1955 entitled "An Act to provide an additional expense allowance for the circuit judges of the Eighth Judicial Circuit; and to provide for the manner of payment of this allowance" (Acts 1955, vol. II, p. 1084).

Also:

H. 55. To amend the Code of Alabama 1940, Title 22, Section 3 and Section 7 relating to a quorum for the State Board of Health and the State Committee of Public Health.

Also:

H. 56. To amend the Code of Alabama 1940, Title 46, Section 258, relating to the authority of the Board of Medical Examiners.

Also:

H. 696. To amend Act No. 209, Acts of Alabama, Special Session 1964, p. 279 regarding qualifications and registration of sanitarians, and regarding use of funds.

Also:

H. 1075. To provide for the Public Health; to amend Title 22, Section 95, Code of Alabama 1940, as last amended by Act 170, Acts of Alabama, 1949 Regular Session, Page 197, so as to eliminate the requirement that pre-nuptial certificates required of applicants for a marriage license remain permanently attached to the marriage license.

Also:

H. 1134. To amend Section 16 of Act No. 107, SB 2, passed by the 1965 Special Session of the Legislature of Alabama, so as to preserve the right of the State Board of Health to approve the source of water furnished by incorporated water authorities.

Also:

H. 1264. Relating to admissibility of evidence in civil actions in the courts of all counties having populations of not less than 20,050 nor more than 21,850, according to the most recent federal decennial census; to require persons taking or having possession of written statements with respect to accidents or injuries relative to which civil actions may be filed in the courts of such counties to furnish copies thereof to the person making such statements and prescribing the effect of failure to furnish copies in accordance with the provisions of this Act.

Also:

H. 1278. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Glen Allen, in Marion County, Alabama.

Also:

H. 1280. To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 66. Relative to relieving the Secretary of the Senate, the Clerk of the House, the Secretary of State and the doorkeepers of the House and Senate of any responsibility for the Codes, Supplements, Acts, Journals and any other books furnished to members of the Legislature.

Also:

S. J. R. 67. Relative to naming the Administration Building at Enterprise Junior College the George C. Wallace Hall.

Also:

S. J. R. 68. Relative to Dr. Champ Lyons, chief of surgery and chairman of the department of surgery at the University Hospital in Birmingham.

Also:

S. J. R. 69. Relative to naming the Administration Building at the Northeast State Junior College the George C. Wallace Building.

Also:

S. J. R. 70. Relative to the death of Mrs. Oneida Wells Hearn.

Also:

S. J. R. 71. Naming Senate Bill 216 "The Dumas-Pierce Bill".

Also:

S. J. R. 73. Naming the new Administration Building at Southern Union College, Wadley, Alabama, the George C. Wallace Building.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Fite:

H. J. R. 173. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Clerk of the House and the Secretary of the Senate each be allowed the Enrolling and En-grassing Clerks and fifteen assistants for six weeks in addition to those

provided in the Code, to assist in checking the Journals and other records of the House and Senate for delivery to the Secretary of State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Clark, the Rules were suspended and the Resolution, H. J. R. 173, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 138. To provide further for the form of government of cities having populations of not less than 200,000 nor more than 300,000, according to the most recent federal decennial census, regulating the appointment and election, compensation, powers, duties, and authority of municipal officers and employees, and authorizing abandonment of the existing form of government and adoption of a mayor-council form of government.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 138, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 138

A BILL TO BE ENTITLED AN ACT

To provide further for the form of government of cities having populations of not less than 200,000 nor more than 300,000, according to the most recent federal decennial census, regulating the appointment and election, compensation, powers, duties, and authority of municipal officers and employees, and authorizing abandonment of the existing form of government and adoption of a mayor-council form of government.

Be It Enacted by the Legislature of Alabama:

CHAPTER 1.

Section 1. This Act shall apply to all cities having populations of not less than 200,000 nor more than 300,000, according to the most recent federal decennial census, which may now or hereafter operate under a commission form of government.

CHAPTER 2.

Section 2. The three commissioners of such city, when sitting as a board and acting within their official capacity, shall have, possess and exercise for, and in the name of and on behalf of the city all municipal powers, legislative, executive and judicial possessed and exercised by

city governing bodies and the chief executive officers thereof under the general law, except that they shall not exercise the jurisdiction of recorders. However, the city's administrative functions shall be distributed by the board of commissioners among three departments, as follows: A department of finance and administration; a department of public safety; and a department of public works and services. The commissioner holding place number one, subject to the authority of the board of commissioners, shall be charged with the duty and responsibility of directing and supervising the department of finance and administration. The commissioner holding place number two, subject to the authority of the board of commissioners, shall be charged with the duty and responsibility of directing and supervising the department of public safety. The commissioner holding place number three, subject to the authority of the board of commissioners, shall be charged with the duty and responsibility of supervising the department of public works and services. Any function, responsibility or operation of the city not assigned by the commissioners or by act of law to one of the above named departments, shall be under the direction and supervision of the board of commissioners as a whole.

Section 3. The board of commissioners of the city shall have the power and authority to select and employ all subordinate officers and employees of the city, to assign their duties, to fix their salaries or compensation, and to dismiss or remove any employee, subject to the provisions of any civil service or merit system law applicable to the city.

Section 4. The person holding the position of place number one on the board of commissioners shall be the presiding officer of the board of commissioners and shall act as mayor of the city for the first sixteen months of his term. During the next sixteen months the person holding the position of place number two on the board shall be the presiding officer of the board and shall act as mayor, and for the final sixteen months of the term the person holding the position of place number three on the board shall be the presiding officer thereof and act as mayor. Any commissioner who desires not to serve as presiding officer and to act as mayor may decline to do so. In the event a commissioner declines to serve as presiding officer of the board and to act as mayor, the board shall elect one of the other members thereof to serve as presiding officer and to act as mayor.

CHAPTER 3.

Section 5. The legally qualified voters of any municipality to which this Act is applicable may adopt the mayor-council form of government set forth below upon petition and referendum as hereinafter provided. The procedure for abandonment of the existing form of government of the city and the method prescribed in this Act for changing the form of government of any such city are exclusive and no other procedure or method shall be followed in any such city.

Section 6. Upon petition signed by fifteen percent or more of the qualified voters of the municipality, such petition to be addressed to the judge of probate of the county in which the municipality is situated, an election shall be held on the question of the adoption of the mayor-council form of government provided in this Act. The petition must show the name of the voter, the date on which he signed the petition, the precinct, ward or beat in which he is qualified to vote, and the address of his residence.

Section 7. The judge of probate shall examine the petition and if he determines that the petition is signed by at least fifteen percent of the qualified voters of the municipality as provided in Section 6 he shall certify such fact to the governing body of the city, and such governing

body shall call for an election to be held on the same day as the next general, special, primary, or municipal election which is to be held in the municipality, if such an election is to be held within 180 days after the filing of the petition, and if an election is not to be held within that time, a special election shall be called within such time. The question of adoption of a mayor-council form of government shall be submitted to the voters in the same manner as other public questions to be voted upon by the voters of a single municipality. The question appearing on the ballot shall be substantially as follows:

"Shall the existing form of government for the city of..... be abandoned and the mayor-council form of government as provided for in acts applicable to said city be adopted?"

"Yes"

"No"

The voter shall mark his ballot with a cross mark, indicating an affirmative or a negative vote. No other proposition shall be submitted by the city to the voters of any such city upon this ballot. If voting machines are used at any voting place in the election, the above proposition may, at the discretion of the governing body of the city, be submitted as a separate proposition on voting machines so used.

Section 8. No petition for submission of the question of adopting the mayor-council form of government pursuant to this Act may be circulated or filed before April 1, 1968, nor shall any such petition be filed within two years after any other petition under this Act has been duly filed. Upon delivery to the probate judge of any such petition, such document or documents shall become public property and shall not be returned to those submitting it or them.

Section 9. Whenever the legally qualified voters of any municipality to which this Act applies, by majority vote of those voting on the question, vote in favor of adopting a change in the form of government under this Act, the officers herein provided for such form of government shall be elected and the plan of government shall become effective as hereinafter provided. If the majority of all votes cast in the election shall be in favor of adoption of the mayor-council form of government, or the retention of the existing form of government, then such form of government shall be adopted or retained as the case may be by such city, and the canvassing board or official shall transmit to the governor, to the secretary of state, to the judge of probate of the county, and to the chief executive officer of the city, a certificate stating that such proposition was adopted, or rejected as the case may be, by such city.

Section 10. The Alternate form of government provided in this Act shall be known as the "Mayor-Council Plan" and shall apply to any municipality the voters of which have adopted it pursuant to this Act. The Mayor-Council Plan of government for any city to which this Act applies cannot be adopted except in accordance with this Act.

Section 11. Each municipality operating under this chapter shall be governed by an elected council, an elected mayor, and such other officers and employees as may be duly appointed pursuant to law or ordinance.

Section 12. The council shall consist of seven members, in numbered places from one through seven, who shall be elected at large by the voters of the municipality; and the members of the council shall be elected at a regular municipal election to be held every four years on the second Tuesday in August. Each councilman shall have been a citizen and resident of the municipality at least two years next preceding his

election, and a qualified elector of the city at the time of his election and during his continuance in office. The election of councilmen shall be held and conducted under general laws fixing the times for holding and regulating the conduct of municipal mayor-council elections; provided, however, that the regular municipal election year for any such municipality shall continue to be calculated on the same schedule as shall be in effect at the time the mayor-council plan is adopted.

Section 13. Members of the council shall serve for a term of four years, beginning at twelve o'clock noon on the first Monday of October next following their election, and until their successors are elected and qualified. Vacancies shall be filled for the remainder of the unexpired term by special election in accord with the provisions of Act No. 663, Regular Session 1961, provided, that such special election shall be called and held not more than 120 days following the commencement of such vacancy. Councilmen shall be entitled to a compensation of \$4,800 per annum each, payable in installments as the salaries of other municipal officers are paid. At its organizational meeting, the council shall elect a president of council and a president pro tempore from among their own number. The president of the council and president pro tempore shall have the right to vote on all questions the same as any other members of the council.

Section 14. All legislative powers and other powers granted to cities and towns shall be exercised by the council, except those powers conferred on some officer by law or ordinance, and except as may otherwise be provided by this Act or by other general laws.

Section 15. The council, in addition to such other powers and duties as may be conferred upon it by this Act or otherwise by law, may:

(a) Consider and approve or decline to approve nominations for appointments to be made by the mayor;

(b) Require any municipal officer, in its discretion, to prepare and submit sworn statements regarding his official duties and the performance thereof, and otherwise to investigate the conduct of any department, office, or agency of the municipal government;

(c) Remove any municipal officer, other than the mayor or a member of council, for cause, upon notice and opportunity to be heard.

Section 16. The council shall appoint a municipal clerk, who shall serve as clerk of the council, keep its minutes and records of its proceedings, maintain and compile its ordinances and resolutions, and perform such other functions as may be required by law for municipal clerks generally. The municipal clerk shall, prior to his appointment, have been qualified by training or experience to perform the duties of the office.

Section 17. The executive power of the municipality shall be exercised by the mayor. The mayor shall be elected by the qualified voters of the municipality at the regular municipal election to be held every four years on the second Tuesday in August, and shall serve for a term of four years beginning at twelve o'clock noon on the first Monday in October following his election. The mayor shall be entitled to compensation at the rate of eighteen thousand dollars per annum, payable in installments as the salaries of other municipal officers are paid.

Section 18. The mayor shall enforce the ordinances of the municipality and all laws applicable thereto. He shall annually address the council on the condition and requirements of the municipal government and shall from time to time make any such recommendations for action by the council as he may deem in the public interest. He shall supervise

all of the departments of the municipal government and shall require each department to make an annual and such other reports of its work as he may deem desirable.

Section 19. (a) The mayor shall nominate and appoint, with the advice and consent of the council, the judge of the municipal court, or recorder (unless otherwise provided by statute), and the department heads of the municipality other than the municipal clerk. Provided, that the appointment of city officers and employees other than city attorneys and recorders shall be made subject to the provisions of such merit or civil service system law as may be applicable to such municipality.

(b) Ordinances adopted by the council shall be submitted to the mayor, and he shall within ten days after receiving any ordinance, either approve the ordinance by affixing his signature thereto or return it to the council, by delivering it to the municipal clerk, together with a statement setting forth his objections thereto or to any item or part thereof. No ordinances or any item or part thereof shall take effect without the mayor's approval, unless the mayor fails to return an ordinance to council within ten days after it has been presented to him, or unless council upon reconsideration thereof at the next regular council meeting following its return by the mayor shall by a vote of five members resolve to override the mayor's vote.

Section 20. In case of the absence of the mayor or his inability to serve on account of sickness or any other good reason, the president of the council, or the president pro tempore of the council in case of absence or disability of the president of the council, shall act as mayor pro tempore with the power and authority of the mayor during such time. In the event of a failure or refusal of the president of the council or the president pro tempore of the council to act, the council may appoint one of its members to act as mayor pro tempore with like effect, which appointment shall be entered in the minutes of the council. In the event of a vacancy, from any cause, in the office of mayor, the president of the council shall succeed to the office of mayor for the unexpired term; and in the event of a vacancy in the office of the president of the council, the president pro tempore shall, in like manner, be president of the council for the unexpired term; in the event of a vacancy in the office of the president pro tempore, the office shall be filled from the membership of the council.

Section 21. The municipal budget shall be prepared by the mayor. During the month of August, the mayor shall require all department heads to submit requests for appropriations for the ensuing budget year, and to appear before the mayor or his designated representative at public hearings, which shall be held in that month, on the various requests.

Section 22. On or before the fifteenth day of September the mayor shall submit to council his recommended budget together with such explanatory comment or statement as he may deem desirable. The budget shall be in such form as may be prescribed by the council and shall in addition have appended thereto a detailed analysis of the various items of expenditure and revenue. Council may increase or reduce any item or items in the mayor's budget by a vote of a majority of the council. The budget shall become effective on the ensuing first day of October.

Section 23. The council shall where practicable provide for the maintenance of a system of quarterly allotments for the operation of the budget. It shall be the duty of the officer or department administering any function of the municipality to report to the mayor such financial statistics as the mayor may require in the formulation of the budget.

Section 24. The council shall provide by ordinance for the exercise of a control function, in the management of the finances of the municipality by some officer other than the mayor. The control function shall include provision for an encumbrance system of budget operation, for expenditures only upon written requisition, for the pre-audit of all claims and demands against the municipality prior to payment, and for the control of all payments out of any public funds by individual warrants for each payment to the official having custody thereof.

CHAPTER 4.

Section 25. A Schedule of the installation of the mayor-council form of government adopted pursuant to this Act shall, as provided herein, take the following course:

(a) An election on the question of adoption of the mayor-council form of government may be held at any time subject to and in accordance with the provisions of Chapter 3;

(b) If the mayor-council plan is adopted at such election, the first officers to be elected under such adopted plan shall be elected at the next regular municipal election previously scheduled for such municipality and the terms of the persons then serving as members of the board of commissioners of any such city shall not be abbreviated as the result of the adoption of the mayor-council form of government.

(c) The expense of all elections held hereunder shall be paid by the municipality conducting such elections.

Section 26. Upon the effective date of the mayor-council form of government adopted under this Act, the provisions of this Act pertaining thereto shall become applicable to such municipality, and the existing form of government for such municipality shall be abolished. All ordinances and resolutions of the municipality to the extent that they are not inconsistent with the provisions of this Act shall remain in full force and effect until modified or repealed as provided by law. All officers and employees of any municipality adopting a mayor-council plan pursuant to this Act, except those whose terms of office are abolished by the adoption of such plan, shall continue in office until otherwise provided by proper authority.

Section 27. All actions and proceedings of a legislature, executive, or judicial character which are pending upon the effective date of a mayor-council plan adopted pursuant to this Act may continue, and the appropriate officer or employee under such mayor-council plan shall be substituted for the officer or employee theretofore exercising or discharging the function, power, or duty involved in such action or proceeding.

Section 28. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 29. All laws or parts of laws which conflict with this Act are repealed.

Section 30. Chapter 2 of this Act shall become effective on the first Monday in October, 1969, and the remaining parts of this Act shall take effect October 4, 1965.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden
Adams	Evans	Lowe	Reynolds
Allen	Gilchrist	McCain	Roberts
Carter	Givhan	McDow	Shelton
Clark	Hornsby	Metcalf	Smith
Cooper	Horton	Nichols	Tyson
Dumas	James		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 591. To amend Section 40 of Title 50, under Chapter 3 of the Recompiled Code of Alabama of 1958, relating to the general grant of power to public corporations organized under said Chapter 3, so as to permit the sale and transfer of such corporation's entire system.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 591, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SENATE BILL 591

Amend the title of Senate Bill 591 so as to read as follows:

"To amend Section 40 of Chapter 3, Title 50, of the Code of Alabama of 1940, relating to the general grant of power to public corporations organized under said Chapter 3 so as to permit the sale and transfer of such corporation's entire system."

Also in the body of said bill delete the word "Recompiled" and change the figures "1958" to "1940".

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Robison (Montgomery)
Allen	Givhan	McDow	Robison (Pickens)
Bentley	Hawkins	Metcalf	Shelton
Brannan	Hornsby	Montgomery	Smith
Carter	Horton	Nichols	Taylor
Clark	James	Oden	Tyson
Dumas	Lowe		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 403. Relating to counties having a population of not less than 38,000 nor more than 46,000; providing for the payment of an expense allowance to the county Solicitor in any such county.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hammond, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 403, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 403

In the title and in Section 1 of the bill, strike out the figures 46,000 and insert in lieu thereof the figures 45,000.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Gilchrist	McCain	Shelton
Allen	Hammond	McDow	Smith
Bentley	Hornsby	Montgomery	Taylor
Brannan	James	Oden	Tyson
Dumas	Lolley	Reynolds	Wilson
Eddins	Lowe		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 489. To authorize county governing bodies to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 594. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having a population of not less than 96,000 nor more than 106,000.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 73, Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 75, Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1266. To authorize and regulate the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census. To prescribe conditions for calling a referendum.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 952. To create the Shelby County Planning Commission; to provide for the organization, membership, powers, personnel, jurisdiction, and financial and legal status of such commission; to authorize the Commission to make sub-division regulations, a master plan, and to adopt zoning regulations for the development of Shelby County; to provide for an election in each beat prior to the application of such authority of the Commission in each beat; to grant the Commission power to zone certain areas within the county and provide a procedure for the amendment of zoning regulations; to prohibit zoning regulations from being retroactive; to provide remedies for the enforcement of the provisions of this act; and to provide exceptions to such zoning regulations and for appeals from the decisions of the Commission.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendments to the following House Bill:

H. 935. To provide for the organization of a public corporation in the state to be known as the State Industrial Development Authority; to designate the officers and members of the board of directors of the Authority; to prescribe the powers and duties of the Authority, including the power to make certain state surveys incidental to industrial development and the power to make grants of money to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell bonds for the purpose of making said grants of money; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be issued to secure deposits of funds

of the state and its political subdivisions, instrumentalities and agencies and for investment of fiduciary funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by the act adopted at the 1965 Regular Session of the Legislature of Alabama that was introduced as House Bill 874 at said session, to the extent necessary to pay the principal of and interest on bonds of the Authority, as such principal and interest mature; to authorize the Authority to pledge such funds for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds and that such bonds shall nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the dissolution of the Authority; and to repeal Act No. 242 adopted at the Extraordinary Session of the Legislature of Alabama of 1965, which convened on February 16, 1965.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 446. To amend and revise Section 41 (d) (1), (2) and (3) of Title 36 of the 1940 Code of Alabama as amended, all of which refer to special restrictions on lamps on motor vehicles.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 540. To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 70, Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 71, Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 816. To authorize the State Board of Health to adopt rules and regulations for the purpose of regulating discharge of sewage from watercraft into certain waters of the State of Alabama; to authorize said Board to establish methods of control, including permits; to prescribe a

REGULAR SESSION

1989

penalty for violation of such rules and regulations; and to provide certain exemptions from regulations.

was taken up.

Mr. Tyson offered the following amendment to the Bill, H. B. 816, to-wit:

Amendment to H. B. 816:

In Section 1, strike out the words and figures "into the waters of this State" and insert "into fresh water lakes in this State"

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Oden	
Adams	Evans	Lowe	Reynolds	
Allen	Gilchrist	Mathews	Robison (Montgomery)	
Brannan	Givhan	McCain	Shelton	
Carter	Hawkins	McDow	Smith	
Clark	Hornsby	Metcalf	Tyson	
Cooper	Horton	Montgomery	Wilson	
Dumas	James			—29

Nays:

—0

And said Bill, H. B. 816, as thus amended, was then read a third time at length and lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Gilchrist	Mathews	Shelton	
Adams	Hornsby	McCain	Smith	
Allen	Lolley	Nichols	Taylor	
Brannan	Lowe	Roberts		—14

Nays:

Messrs.:	Dumas	Hawkins	Robison (Montgomery)	
Allen	Eddins	Horton	Robison (Pickens)	
Bentley	Evans	James	Tyson	
Carter	Givhan	Montgomery	Wilson	
Cooper	Hammond	Reynolds		—18

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 556. To amend further Act No. 345, H. 291, Regular Session 1955, which creates domestic relations division of the circuit courts of counties having populations of not less than 225,000 nor more than 500,000 (Acts 1955, v. 2, p. 783).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 556, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 556:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 345, H. 291, Regular Session 1955, which creates domestic relations division of the circuit courts of counties having populations of not less than 225,000 nor more than 500,000 (Acts 1955, v. 2, p. 783).

Be It Enacted by the Legislature of Alabama:

Section 1. "Section 4. (a) The register of the circuit court shall appoint a deputy register of the circuit court who shall serve under the direction and shall hold office at the pleasure of the register of the circuit court. Said deputy register shall be responsible for the functions of said domestic relations division of the circuit court and as deputy register be empowered to transact all business and perform all duties of such register and to hold references and make reports. The deputy register shall at all times receive a salary which is hereby fixed at \$500.00 less than the annual salary of the Register of the Circuit Court as provided by law. Said annual salary of the deputy register shall be paid in twelve equal monthly installments out of the general funds of the County. If any county coming within the influence of this act has a civil service system the deputy register hereby provided for shall be in the exempt service and no rules or regulations of the civil service shall govern his appointment, discharge or compensation. Said deputy register before entering upon the duties of his office shall give bond to the State of Alabama in a sum to be set by the governing authority, to execute faithfully all the duties of his office during his continuance therein.

Section 2. All laws and parts of laws in conflict with this Act are repealed.

Section 3. This Act shall become effective upon the expiration of the term of office of the incumbent register of the circuit court and the appointment of his deputy as provided by this Act.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Oden
Adams	Eddins	Mathews	Roberts
Allen	Evans	McCain	Robison (Montgomery)
Bentley	Gilchrist	McDow	Smith
Brannan	Hammond	Montgomery	Taylor
Carter	Hawkins	Nichols	Tyson
Clark	Horton		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 188. To amend further Act No. 345, H. 291, Regular Session 1955, which creates domestic relations division of the circuit courts of counties having populations of not less than 225,000 nor more than 500,000 (Acts 155, v. 2, p. 783)

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 188, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 188:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 345, H. 291, Regular Session 1955, which creates domestic relations division of the circuit courts of counties having populations of not less than 225,000 nor more than 500,000 Acts 1955, v. 2, p. 783.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 345, H. 291, Regular Session 1955, an act creating domestic relations divisions of the circuit courts in counties having populations of not less than 225,000 nor more than 500,000 (Acts 1955, v. 2, p. 783) as amended is amended further to read as follows:

"Section 1. A domestic relations division of the circuit court is hereby established in every county in the State having a population of not less than 225,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census. The domestic relations division of the circuit court shall, as its primary function, handle all cases in such county involving divorce, the annulment of marriages, the custody of children. The presiding judge of the circuit court of such county shall assign all such cases which originate in the circuit court to the domestic relations division thereof, provided, that the presiding judge may, in his discretion, for the purpose of relieving an overloaded docket in the domestic relations division, assign or re-assign a portion of such cases to other judges of the circuit court and provided further that the judge of the domestic relations division may, in his discretion recuse himself from the handling of any such case or cases for any reason, in which event the presiding judge shall assign or re-assign such case or cases to other judges of the circuit court.

Section 2. Section 4 is further amended to read as follows:

"Section 4 (d) An accounts department ought to be and hereby is established for receiving, keeping and paying out all alimony or support payments arising out of this court and the juvenile court, whether for adults or children, whether temporary or permanent, and upon the receiving of said alimony or support payments the accounts clerk shall assess a fee of one and one-half (1½) percent, said fee of one and one-half (1½) percent to be paid by the payor unless otherwise directed by the court. All said fees shall be paid into the office of the county treasurer as soon as practicable after the close of business each month. Said clerk and records shall be subject to audit by the examiners of accounts of the State of Alabama. Said accounts clerk shall keep a separate record of all such receipts and disbursements in each case, and shall further be responsible for keeping records of said payments cumulatively but shall not be responsible for retaining records of such receipts

and disbursements in each case for a period longer than one year after an audit by the said examiners of accounts.

Section 3. Section 4 is further amended by adding subsection (h) as follows:

"Section 4 (h) The administration of the accounts department and the personnel therein shall be supervised by the deputy register heretofore authorized under this act.

"Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

"Section 5. All laws or parts of laws which conflict with this Act are repealed."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds
Adams	Gilchrist	McCain	Roberts
Allen	Givhan	McDow	Shelton
Clark	Hornsby	Metcalf	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Tyson
Eddins	Lolley		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 114. Relating to witnesses; to provide for privileged communications between clergymen or ministers and persons seeking spiritual advice or guidance.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Adams, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 114, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. 114:

After "practitioner" add the clause "who is active as a clergyman associated with a church within the boundaries of this state".

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	James	Nichols
Adams	Evans	Lolley	Oden
Allen	Givhan	Lowe	Reynolds
Bentley	Hammond	Mathews	Roberts
Brannan	Hawkins	McCain	Shelton
Carter	Hornsby	McDow	Smith
Cooper	Horton	Montgomery	Taylor
Dumas			

—28

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 527. To amend Section 2, Act No. 688, H. 336, Regular Session 1953, relating to the operation of motor vehicles and farm trailers on public highways.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. James, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 527, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 527:

In Section 1, strike out the second paragraph and insert in lieu thereof the following:

"Section 2. All such trailers as above described shall be equipped with red reflectors to adequately illuminate the rear of such trailer by placing at least two on the rear, one at each side. No such trailer shall be in excess of ninety-six inches in width, and no such trailer, draw-bar or other connection, including the vehicle towing such trailer shall be in excess of overall length of sixty-five feet. At no time shall there be more than one loaded trailer towed by any vehicle; however, two empty farm wagons or 4-wheel trailers may be towed in tandem when the overall length of the towing vehicle and its tow does not exceed sixty-five feet altogether."

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	Horton	Oden
Adams	Evans	James	Reynolds
Allen	Gilchrist	Lolley	Roberts
Bentley	Givhan	Lowe	Robison (Montgomery)
Brannan	Hammond	Mathews	Smith
Carter	Hawkins	McDow	Taylor
Cooper	Hornsby	Nichols	Tyson
Dumas			

—28

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 330, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 330, with a suggested executive amendment:

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 330, without my signature and approval, and with a suggested executive amendment.

I would suggest that House Bill 330 be amended by striking therefrom Section 3 in its entirety and substituting in lieu thereof Section 3 to read as follows:

"Section 3. Any non-resident of this State may procure a 'trip small game hunting license' to hunt all legal game in this State except deer and turkey in the same manner as provided for procuring non-resident annual hunting license provided for in Sections 1 and 2, by paying therefor the sum of Seven and 15/100 Dollars, which license will authorize the holder thereof to hunt in this State for a period of seven (7) days from the day said license was issued. Two Dollars of the above said Seven and 15/100 Dollars are to be used for development and management of waterfowl areas.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 330, by a vote of Yeas 84, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 330. Relating to non-resident hunting licenses; providing for new types and new charges of non-resident hunting licenses; to repeal Title 8, Sections 32 and 33, as amended, by Act No. 872, page 1369, Acts of Alabama, 1961 Regular Session of the Alabama Legislature.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 82, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Lowe, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 330, the title of which and said amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Robison (Montgomery)
Bentley	Givhan	Mathews	Shelton
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Nichols	Taylor
Cooper	Horton	Oden	Wilson
Dumas	James		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs, Burns, Nabors and Owens.

H. J. R. 179. WHEREAS, Governor George C. Wallace has been responsible for giving leadership in the establishment of the State Junior College Program in Alabama, and

WHEREAS, without his leadership the State Junior College Program would not have been as fully developed as it is today, and

WHEREAS, Governor Wallace has provided overall outstanding leadership in the entire field of education and particularly in the promotion of the Junior Colleges.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that the Administrative Building at the Gadsden Technical Junior College be named the George C. Wallace Hall.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Hawkins offered the following amendment to the Resolution, H. J. R. 179, set out in the foregoing Message from the House, to-wit:

Amend H. J. R. 179 by substituting for the words "Administrative Building" the words "Fine Arts Building".

Which was adopted.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution, H. J. R. 179, as amended, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 180. WHEREAS the Future Teachers of Alabama is an organization dedicated to preparing its members to serve as leaders of generations to come; and

WHEREAS there is no greater responsibility, no richer opportunity for service, and no higher principle to which these members might devote their lives than in molding the character and in inspiring high ideals in the young people they instruct in the daily classroom; and

WHEREAS Miss Cheryl Alexander, daughter of Mr. and Mrs. H. D. Alexander of Auburn has been elected as president of the Alabama Future Teachers organization; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends Miss Alexander upon her selection as president of the Alabama Future Teachers organization, and extends its best wishes for every success both to Miss Alexander and to the fine organization she serves.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Smith, the Rules were suspended and the Resolution, H. J. R. 180, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 504. Relating to all counties having populations of not less than 150,000, according to the most recent federal decennial census; further regulating the Plumbers Examining Board in establishing the competency of plumbers; and further amending Section 5, as last amended, and Section 7, as last amended, of General Act No. 529, General Laws of Alabama, approved September 2, 1949 (Acts of Alabama, 1949, p. 827, Et Seq.).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 504, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 504:

Amend S. B. 504:

By adding the following words to the end of the first paragraph of "Section 7" of Section 2 of the bill:

REGULAR SESSION

1997

"except that nothing in this Act shall prohibit a general contractor as defined by law, an architect or engineer from performing, bidding upon or contracting construction work which may include plumbing as a part of said construction work."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Robison (Montgomery)
Allen	Evans	Mathews	Robison (Pickens)
Brannan	Gilchrist	McDow	Shelton
Carter	Hammond	Montgomery	Smith
Clark	Hornsby	Oden	Tyson
Cooper	Horton		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 435. Relating to irrigation and water conservation; providing for the incorporation of an agency as a public body corporate and instrumentality of the state, for the promotion and development of one or more irrigation districts in the State of Alabama; prescribing its authority, powers, duties, functions, and management, authorizing the agency to issue bonds, and the counties and municipalities within the irrigation district or districts to contribute funds and levy taxes for its use.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hammond, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 435, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 435:

Amend Section 5, subsection q of S. B. 435 by adding at the end thereof the following:

"Nothing in this Act shall be construed to authorize the acquisition by eminent domain of any real property or rights owned or controlled by railroads or utilities, both public and private."

Yeas 27; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Oden
Adams	Gilchrist	Lowe	Reynolds
Bentley	Givhan	Mathews	Roberts
Brannan	Hammond	McCain	Robison (Pickens)
Carter	Hornsby	McDow	Shelton
Cooper	Horton	Metcalf	Smith
Dumas	James	Nichols	Taylor

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 436. To create the office of director of irrigation in the state department of conservation; providing for the qualifications, appointment, term, duties, and compensation of such director.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hammond, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 436, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 436:

In Section 1, strike out the fourth sentence and insert in lieu thereof the following: The director shall serve for a term of four years from the day after his appointment, and until his successor is appointed and qualified; and he shall be directly responsible to the Governor.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dumas	James	Reynolds
Adams	Evans	Lolley	Robison (Montgomery)
Bentley	Gilchrist	Lowe	Robison (Pickens)
Brannan	Hammond	Mathews	Smith
Carter	Hornsby	Metcalf	Taylor
Cooper	Horton	Oden	Tyson

—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 494. To make it unlawful for minors to attempt to purchase, to purchase, consume, possess or transport alcohol, liquor or malt or brewed beverages; to provide penalties for violations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Taylor, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 494, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. B. 494:

Amend Senate Bill 494 by adding at the end of Section 1 thereof the following:

Anything contained herein to the contrary notwithstanding; it shall not be unlawful for a minor employee of an Alcoholic Beverage Control Board off premise Licensee to handle, transport, or sell any malt or brewed beverage if such minor is acting within the line and scope of his employment while so acting.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Evans	Horton	Oden
Adams	Givhan	James	Reynolds
Bentley	Hammond	Lolley	Robison (Pickens)
Brannan	Hawkins	Lowe	Smith
Clark	Hornsby	Mathews	Taylor

—19

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1090. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Crawford and Grouby:

H. J. R. 189. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we hereby congratulate Mr. John Watkins upon his recent election as Executive Director of the Alabama League of Municipalities.

BE IT FURTHER RESOLVED that we commend the League for its good judgment and discrimination in promoting Mr. Watkins to this position, for he has long been a faithful, diligent, affable and able employee of the League, and is admirably fitted for the job by training, experience and temperament. We extend our best wishes to Mr. Watkins and the League.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison (Montgomery), the Rules were suspended and the Resolution, H. J. R. 189, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 434. Proposing an amendment to the Constitution of Alabama relative to the development of one or more irrigation districts and water conservation in the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 98. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars, and validating and confirming like expenditures heretofore made.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bolton and Camp:

H. J. R. 186. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That we lament the recent death of Mr. E. A. Rainwater, a popular and outstanding citizen of Childersburg, who formerly served as Mayor of Childersburg and also as a member of the City Council; and we hereby offer our sincere condolences to his widow.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mrs. E. A. Rainwater and also a copy to the Mayor and City Council of the City of Childersburg.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Nichols, the Rules were suspended and the Resolution, H. J. R. 186, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 9. Relating to public health; to require the testing and treatment of infants for phenylketonuria; to authorize and direct the state board of health to promulgate rules and regulations to accomplish the purpose of this Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Davis:

H. J. R. 185. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, S. B. 365, which has passed both houses be designated and known as "The Carter, Nichols, Cates and Engel Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. James, the Rules were suspended and the Resolution, H. J. R. 185, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Davis:

H. J. R. 184. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, S. B. 364, which has passed both houses be designated and known as "The Carter, Nichols, Cates and Engel Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. James, the Rules were suspended and the Resolution, H. J. R. 184, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Grouby:

H. J. R. 183. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That Senate Bill 10, which has passed both houses, shall be designated and known as "The Carter, Steagall, Hain, Etheredge, Blanton and Albea Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDow, the Rules were suspended and the Resolution, H. J. R. 183, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Powell:

H. J. R. 182. WHEREAS the Jaycees of Eclectic, on Saturday, August 21, 1965, held a Governor's Day celebration which was a highly successful event, honored by the presence of the Governor, who graciously consented to address the group; and

WHEREAS the Jaycees fed approximately one thousand persons on this momentous occasion and provided entertainment for a total of approximately four thousand people; and

WHEREAS the preparation and execution of the plans made by the Jaycees were performed with such foresight and dexterity as to make this a most enjoyable day; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body heartily commends the Jaycees of Eclectic upon their Governor's Day celebration and looks forward to its being made an annual event.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hornsby, the Rules were suspended and the Resolution, H. J. R. 182, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Rast, Sessions, Vacca, Bailes, Collins (Jefferson), Hawkins, Morrow, Meeks, Gilmore, Etheredge, Bethea (M), Brown (Jefferson):

H. J. R. 188. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, H. B. 493, which has passed both houses, be designated and known as "The Dominick Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 188, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Slate:

H. J. R. 175. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, S. B. 99, which has passed both houses, be designated and known as "The Metcalf, Givhan, Brannan, Allen, Nichols and Drake Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Gilchrist, the Rules were suspended and the Resolution, H. J. R. 175, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Engel:

H. J. R. 176. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That House Bill 144, which has passed both Houses, shall be designated and known as "The Van Buren Daniel Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Tyson, the Rules were suspended and the Resolution, H. J. R. 176, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Steagall:

H. J. R. 177. WHEREAS, Mack M. Matthews has been principal of the Pinckard Colored School for a long number of years, and

WHEREAS, the Pinckard Colored School has shown great progress under the leadership of Mack M. Matthews, and

WHEREAS, Mack M. Matthews has the respect of the citizens of the community in which he teaches and also the entire county,

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, that the Pinckard Colored School at Pinckard, Dale County, Alabama, be and it is hereby named and designated as the "Mack M. Matthews School".

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Mr. Joe H. Payne, Superintendent of the Dale County School System and to Mack M. Matthews, both at Ozark, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Metcalf, the Rules were suspended and the Resolution, H. J. R. 177, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Edwards (Escambia):

H. J. R. 178. WHEREAS Mrs. Sarah Pearl Watson, longtime member of the board of registrars of Escambia County, passed away on August 20, 1965; and

WHEREAS Mrs. Watson, having been active in civic and political affairs, rendered a lifetime of devoted service to her family, her friends, and her community. Her dedication to duty and the gracious manner in which she performed her services endeared her to all with whom she came in contact, as well as to all her many friends who mourn her loss, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply regrets the death of Mrs. Watson and extends its sincere sympathy to the surviving members of her family.

RESOLVED FURTHER, that copies of this resolution be sent to Mrs. Watson's daughter, Mrs. Josephine Dobbs, Fayette, Alabama; and to her two sons Mr. R. M. Watson Jr., P. O. Box 745, Brewton, Alabama, and Mr. C. M. Watson, Brewton, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Brannan, the Rules were suspended and the Resolution, H. J. R. 178, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Fite:

H. J. R. 174. WHEREAS, the Junior College Program in Alabama has won the approval and support of the vast majority of the citizens of this State and has gained recognition by state, federal and local educational officials as one of great merit, rich in both immediate and long

range benefits flowing from the continuing development of the great potential of our youth and the resources of the State; and

WHEREAS, Governor George C. Wallace campaigned for the office of Governor on a platform which included a specific promise to work to provide an opportunity for a junior college education for every boy and girl of the State with ability to learn and willingness to work, and received the wholehearted endorsement of the people of Alabama; and

WHEREAS, Governor George C. Wallace has since pursued his campaign promise with great determination and persistence and has provided the leadership in planning, development, financing and inaugurating the junior college program which today bears the unmistakable imprint of his leadership;

NOW, THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING: In recognition of the foresight and continuing efforts of Governor George C. Wallace in behalf of the junior college program that the Administration Building of each new junior college in the State of Alabama be named in honor of Governor George C. Wallace.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the members of the State Board of Education and to each of the Presidents of the junior colleges created under the legislative program enacted during the administration of Governor Wallace.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Hawkins offered the following amendment to the Resolution, H. J. R. 174, set out in the foregoing Message from the House, to-wit:

AMENDMENT TO H. J. R. 174:

Amend H. J. R. 174 by striking the period at the end of the 4th paragraph thereof, also being the end of the 5th line from the bottom of page 1 of said resolution and adding the following:

“provided that this shall not apply to the Gadsden Technical Junior College inasmuch as another resolution has been adopted naming another building thereof for Governor Wallace. At the Gadsden Technical Junior College the name of the Administration Building shall be the “James B. Allen Administration Building” in honor and appreciation of his outstanding contribution to education and in view of the fact that Gadsden is his home.”

Which was adopted.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution, H. J. R. 174, as amended, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 923, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 923, with a suggested executive amendment.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 923, without my signature and approval, and with a suggested executive amendment.

I would suggest that you amend said House Bill 923 by striking therefrom Section 3 (b) of said bill and inserting in lieu thereof the following:

"(b) Immediately after the effective date of this Act, the Governor shall appoint a qualified person as Judge of the Court, and shall issue a commission to him as such judge. He shall hold office until a successor is elected as provided hereinafter."

The suggested executive amendment has the full knowledge and approval of the author of said House Bill 923 and, if adopted, will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 923, by a vote of Yeas 70, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 923. To create an inferior court for Franklin County in lieu of the county court, defining its jurisdiction, providing for its officers and prescribing their powers and duties, and abolishing the county court.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 70, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Oden, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 923, the title of which and said amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	James	Oden	
Adams	Dumas	Lowe	Roberts	
Allen	Evans	Mathews	Robison (Pickens)	
Bentley	Gilchrist	McCain	Smith	
Brannan	Givhan	McDow	Taylor	
Carter	Hawkins	Montgomery	Tyson	
Clark	Hornsby			—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1184. Relating to counties having populations of 600,000 or more, according to the most recent federal decennial census; authorizing the sale and distribution of draft beer within such counties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 983. To amend Sections 2 and 4 of Act No. 228, S266, Regular Session 1963, an act establishing the court of county commissioners of Blount County.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 874. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 874, to-wit:

AMENDMENT TO H. B. 874:

Amend H. B. 874 by striking the whole of Section 3 as it now appears in the bill and insert in lieu thereof the following:

"Section 3. All revenues collected under the provisions of this Act shall be paid into the State Treasury and shall be set apart and used for the following purposes only and in the following order:

(a) So much thereof as may be necessary for such purpose is hereby appropriated and shall be used by the State Treasurer to pay at their respective maturities the principal and interest that will mature during the then current fiscal year on all bonds that may be issued by the State Industrial Development Authority under the provisions of an Act adopted at the 1965 Regular Session of the Legislature of Alabama pursuant to which the said Authority may be organized; and

(b) The balance thereafter remaining during each fiscal year shall be paid into a special fund in the State Treasury, to be designated the 'General and Mental Health Fund,' and is hereby appropriated and shall be distributed as follows: (1) sixty percent (60%) of said balance shall be expended by the State Health Officer, with the approval of the State Board of Health, for salaries, other expenses, and equipment purchases incident to general health work; (2) twenty-two and one-half percent (22½%) of said balance shall be paid to the Board of Trustees of the Alabama State Hospitals, to be expended by the said board for the operation of said hospitals; (3) seven and one-half percent (7½%) of said balance shall be paid to the Partlow State School to be expended by it for the operation of said school; and (4) ten percent (10%) of said balance shall be paid to the State Board of Health for the care and treatment of tuberculosis patients in the several tuberculosis hospitals in the state."

Which was adopted.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Evans	Mathews	Roberts
Adams	Givhan	McCain	Robison (Montgomery)
Allen	Hawkins	McDow	Robison (Pickens)
Bentley	Hornsby	Metcalf	Shelton
Brannan	Horton	Montgomery	Smith
Carter	James	Nichols	Taylor
Cooper	Lolley	Reynolds	Wilson
Eddins			

—28

Nay: Mr. Dumas

—1

Mr. Shelton offered the following amendment to the Bill, H. B. 874, as amended, to-wit:

AMENDMENT TO H. B. 874, as amended:

Further amend H. B. 874 as follows:

Strike the whole of subsection (b) of Section 3 of said bill, and insert in lieu thereof the following:

"(b) The balance thereafter remaining during each fiscal year shall be paid into a special fund in the State Treasury, to be designated the 'General and Mental Health Fund,' and is hereby appropriated and shall be distributed as follows:

REGULAR SESSION

2009

(1) sixty percent (60%) of said balance shall be expended by the State Health Officer, with the approval of the State Board of Health, for salaries, other expenses, and equipment purchases incident to general health work; (2) thirty percent (30%) of said balance shall be paid to the Board of Trustees of the Alabama State Hospitals, to be expended by the said board for such purposes as the board may designate; and (3) ten percent (10%) of said balance shall be paid to the Board of Managers of the Partlow State School to be expended by the said board for such purposes as the board may designate."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hawkins	McDow	Shelton
Brannan	Hornsby	Metcalfe	Smith
Cooper	Horton	Montgomery	Taylor
Dumas	James	Nichols	Wilson
Eddins			—28

Nays:

—0

And said Bill, H. B. 874, as thus amended, was then read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Montgomery)
Allen	Givhan	McCain	Robison (Pickens)
Bentley	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalfe	Smith
Carter	Hornsby	Montgomery	Taylor
Cooper	Horton	Nichols	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		—33

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 1256, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning

House Bill 1256, with suggested executive amendments.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 1256, without my approval and signature, and with a suggested executive amendment.

I would suggest that House Bill 1256 be amended by renumbering Sections 8, 9, and 10 of said bill so as to be Sections 9, 10, and 11, respectively, and inserting the following Section 8:

"Section 8. In any county having an Arthropod Control Board, the county governing body and the governing body of any city or town in the county may appropriate funds not otherwise appropriated, for the use of the Board in carrying out the purposes and provisions of this Act."

These suggested executive amendments are made with the full knowledge of and at the request of the authors of this said House Bill 1256 and, if adopted, will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 1256, by a vote of Yeas 59, Nays 0, which was a majority of the whole number elected to the House, and said bill:

H. 1256. Relating to counties having populations of not less than 300,000 nor more than 600,000 and to counties contiguous to any county having such population; providing for the control and abatement of arthropods in such counties; creating and establishing an Arthropod Control Board for each such county, and prescribing its powers and duties; providing for the qualifications, appointment, terms, and compensation of the members of such Boards and a director thereof.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 62, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Tyson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 1256, the title of which and said amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Roberts
Allen	Evans	Mathews	Robison (Montgomery)
Bentley	Gilchrist	McCain	Smith
Brannan	Givhan	Metcalf	Taylor
Carter	Hawkins	Nichols	Tyson
Clark	Horton		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 390. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 390, to-wit:

SUBSTITUTE FOR H. B. 390

A BILL TO BE ENTITLED AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for each of the two fiscal years ending respectively September 30, 1966 and September 30, 1967, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of the items of personal property described in Section 1 (c) hereof.

FROM THE GENERAL FUND

I. LEGISLATIVE:

(1) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses for the fiscal year ending September 30, 1966, and for the salaries and expenses of the Legislature for extraordinary sessions.....		\$	100,000.00
(2) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for any expenses for any legislative sessions for the fiscal year ending September 30, 1967.....			1,000,000.00
(3) For the printing of Legislative Acts and Journals:			
For the fiscal year ending September 30, 1966, estimated			75,000.00
For the fiscal year ending September 30, 1967, estimated			15,000.00
(4) For Legislative Council expenses			10,000.00
(5) LEGISLATIVE REFERENCE SERVICE:			
For the fiscal year ending September 30, 1966:			
For salary of the Director	14,000.00		
For other salaries	65,513.00		
For other expenses	5,500.00		
For equipment purchases	500.00		
Total			85,513.00
For the fiscal year ending September 30, 1967:			
For salary of the Director	14,000.00		
For other salaries	66,805.00		
For other expenses	5,500.00		
For equipment purchases	500.00		
Total			86,805.00

REGULAR SESSION

2013

(6) DEPARTMENT OF EXAMINERS OF
PUBLIC ACCOUNTS:

For the fiscal year ending September 30, 1966:		
For the salary of the Chief Examiner	12,000.00	
For the salary of the Assistant Chief Examiner	10,000.00	
For other salaries	603,477.00	
For other expenses	216,700.00	
For equipment purchases	10,000.00	
Total		852,177.00
For the fiscal year ending September 30, 1967:		
For the salary of the Chief Examiner	12,000.00	
For the salary of the Assistant Chief Examiner	10,000.00	
For other salaries	627,278.00	
For other expenses	216,700.00	
For equipment purchases	3,500.00	
Total		869,478.00

II. JUDICIAL:

(1) THE SUPREME COURT:

For the salaries of the Chief Justice and six Associate Justices	115,500.00	
For the salary of the Clerk of the Court	7,500.00	
For the salary of the Deputy Clerk of the Court	11,000.00	
For the salary of the Court Reporter	11,000.00	
For other salaries	156,413.00	
For other expenses	20,000.00	
For equipment purchases	2,000.00	
Total		323,413.00
For the Supreme Court Library Fund		11,400.00

(2) THE COURT OF APPEALS:

For the fiscal year ending September 30, 1966:		
For salaries of the three judges	48,000.00	
For other salaries	62,430.00	
For other expenses	3,500.00	
For equipment purchases	1,000.00	
Total		114,930.00
For the fiscal year ending September 30, 1967:		
For salaries of the three judges	48,000.00	
For other salaries	62,430.00	
For other expenses	8,000.00	
For equipment purchases	1,000.00	
Total		119,430.00

(3) THE CIRCUIT COURTS:

For the fiscal year ending September 30, 1966:	
For the salaries of the judges of the Circuit Courts estimated	840,000.00
For travel expenses of circuit judges	13,000.00
For telephone service, stationery, stamps, and necessary equipment for the office use of circuit judges	20,000.00
For the salaries and travel expenses of special judges, estimated	5,000.00
For salaries of circuit solicitors, estimated	280,500.00
For salary of the elected Deputy Circuit Solicitor of the Bessemer Division of the 10th Judicial Circuit	8,500.00
For the salary of the appointed Assistant Deputy Solicitor of the Bessemer Division of the 10th Judicial Circuit	3,600.00
For the salary of the First Deputy Solicitor of the Birmingham Division of the 10th Judicial Circuit	5,700.00
For the salaries of the Second and Third Deputy Solicitors of the Birmingham Division of the 10th Judicial Circuit	10,000.00
For the salaries of the Fourth, Fifth and Sixth Deputy Solicitors of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each	12,000.00
For the salary of the Deputy Circuit Solicitor of the 4th Judicial Circuit	8,500.00
For the salary of the Deputy Circuit Solicitor of the 6th Judicial Circuit	4,500.00
For the salaries of the Deputy Circuit Solicitors of the 13th Judicial Circuit	23,600.00
For the salary of the Deputy Circuit Solicitor of the 15th Judicial Circuit	7,800.00
For the salaries of the Deputy Circuit Solicitors of the 16th Judicial Circuit	6,000.00
For the salary of the Deputy Circuit Solicitor of the 23rd Judicial Circuit	8,400.00
For the travel expenses of circuit solicitors, estimated	8,400.00
For telephone service, stationery, stamps, and necessary equipment for the office use of circuit solicitors, deputy circuit solicitors or assistants	25,000.00
Total	412,500.00

REGULAR SESSION

2015

For salary of supernumerary circuit solicitors, estimated	15,600.00
For expenses of supernumerary circuit solicitors, estimated	6,000.00
For the fiscal year ending September 30, 1967:	
For the salaries of the judges of the Circuit Courts estimated	840,000.00
For travel expenses of circuit judges	13,000.00
For telephone service, stationery, stamps, and necessary equipment for office use of circuit judges	20,000.00
For the salaries and travel expenses of special judges, estimated	5,000.00
For salaries of circuit solicitors, estimated	308,500.00
For salary of the elected Deputy Circuit Solicitor of the Bessemer Division of the 10th Judicial Circuit	8,500.00
For the salary of the appointed Assistant Deputy Solicitor of the Bessemer Division of the 10th Judicial Circuit	3,600.00
For the salary of the First Deputy Solicitor of the Birmingham Division of the 10th Judicial Circuit	5,700.00
For the salaries of the Second and Third Deputy Solicitors of the Birmingham Division of the 10th Judicial Circuit	10,000.00
For the salaries of the Fourth, Fifth and Sixth Deputy Solicitors of the Birmingham Division of the 10th Judicial Circuit; \$4,000.00 each	12,000.00
For the salary of the Deputy Circuit Solicitor of the 4th Judicial Circuit	9,350.00
For the salary of the Deputy Circuit Solicitor of the 6th Judicial Circuit	4,500.00
For the salaries of the Deputy Circuit Solicitors of the 13th Judicial Circuit	23,600.00
For the salary of the Deputy Circuit Solicitor of the 15th Judicial Circuit	7,800.00
For the salaries of the Deputy Circuit Solicitors of the 16th Judicial Circuit	6,000.00
For the salary of the Deputy Circuit Solicitor of the 23rd Judicial Circuit	8,400.00
For the travel expenses of circuit solicitors, estimated	8,400.00
For telephone service, stationery, stamps, and necessary equipment for the office use of Circuit Solicitors, deputy Circuit Solicitors or assistants	25,000.00
Total	441,350.00

For salary of supernumerary circuit solicitors, estimated	15,600.00
For expenses of supernumerary circuit solicitors, estimated	6,000.00

(4) COURT REPORTERS:

For the compensation of the circuit court re- porters, estimated	210,000.00
For the compensation of the supernumerary cir- cuit court reporters, estimated	9,400.00

(5) SUPERNUMERARY JUDGES:

For salaries of supernumerary judges and justices, estimated	45,000.00
For expenses of supernumerary judges and justices, estimated	10,000.00

III. EXECUTIVE:

A. DEPARTMENTS, BOARDS, BUREAUS,
AGENCIES AND COMMISSIONS:

(1) THE GOVERNOR'S OFFICE:

For salary of the Governor	25,000.00
For salary of the Executive Secretary	14,000.00
For salary of the Legal Advisor	13,000.00
For salary of the Press Secretary	12,000.00
For other salaries	53,306.00
For other expenses	55,500.00
Total	172,806.00

(2) For the Governor's Emergency Fund, to be ex- pended at the direction of the Governor	45,000.00
For the Governor's Controlled Contingency Fund	45,000.00

(3) For the Mansion Fund	25,000.00
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(4) STATE BOARD OF ADJUSTMENT:

For expenditures by the Board payable from Gen- eral Fund for the General Fund contribution to the total expenditure of \$200,000 pursuant to Title 55, Section 343	15,000.00
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(5) DEPARTMENT OF ARCHIVES AND HISTORY:

For the salary of the Director	10,500.00
For other salaries	74,649.00
For other expenses	16,000.00
For equipment purchases	5,000.00
For expenses of printing of the Ala- bama Historical Quarterly	4,000.00
Total	110,149.00

(6) OFFICE OF THE ATTORNEY GENERAL:

For transfer to the Office of the Attorney General for the payment of the State's General Fund share of the cost of operation of the Depart- ment	337,403.00
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REGULAR SESSION

2017

(7) OFFICE OF THE STATE AUDITOR:

For the salary of the State Auditor	10,000.00
For other salaries	36,277.00
For other expenses	1,500.00
For equipment purchases	500.00

Total	48,277.00
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(8) BANG'S DISEASE CONTROL:

For salaries	104,750.00
For other expenses	49,000.00
For equipment purchases	5,000.00
For the payment for services rendered and indemnities to cattle owners for reactor cattle slaughtered	230,000.00

Total	388,750.00
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(This appropriation to be expended by the State Veterinarian at the direction of the Commission of Agriculture.)

(9) STATE BANKING DEPARTMENT:

For the fiscal year ending September 30, 1966:	
For salary of the Director	12,000.00
For other salaries	151,950.00
For other expenses	39,796.00
For equipment purchases	500.00

Total	204,246.00
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For the fiscal year ending September 30, 1967:	
For salary of the Director	12,000.00
For other salaries	157,450.00
For other expenses	39,796.00
For equipment purchases	500.00

Total	209,746.00
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(10) BUILDING COMMISSION:

For salaries	52,500.00
For other expenses	9,540.00

Total	62,040.00
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(11) CAHABA HISTORICAL COMMISSION:

To provide for the expenditures authorized by Act No. 486, 1943 Acts, page 449 and an additional amount—Total

1,900.00

(12) DEPARTMENT OF CIVIL DEFENSE:

For the fiscal year ending September 30, 1966:	
For the salary of the Director	10,500.00
For other salaries	61,425.00

For other expenses	30,550.00	
For equipment purchases	4,000.00	
Total		106,475.00
For the fiscal year ending September 30, 1967:		
For salary of the Director	10,500.00	
For other salaries	63,525.00	
For other expenses	30,550.00	
For equipment purchases	1,500.00	
Total		106,075.00
(13) BOARD OF EXAMINERS OF BASIC SCIENCE:		
For salaries	2,400.00	
For other expenses	2,600.00	
Total		5,000.00
(14) DEPARTMENT OF FINANCE:		
(a) Director's Office:		
For the salary of the Director	14,000.00	
For other salaries	21,907.00	
For other expenses	17,410.00	
For equipment purchases	500.00	
For a records retention program survey	15,000.00	
Total		68,817.00
(b) Division of the Budget:		
For salary of the Budget Officer	12,000.00	
For other salaries	46,355.00	
For other expenses	8,787.00	
For equipment purchases	1,000.00	
Total		68,142.00
(c) Division of Control and Accounts:		
For the fiscal year ending September 30, 1966:		
For salaries	158,011.00	
For other expenses	105,000.00	
For equipment purchases	42,300.00	
Total		305,311.00
For the fiscal year ending September 30, 1967:		
For salaries	158,342.00	
For other expenses	106,000.00	
For equipment purchases	1,000.00	
Total		265,342.00
(d) Legal Division:		
For salaries	19,115.00	
For other expenses	5,500.00	
For equipment purchases	500.00	
Total		25,115.00

REGULAR SESSION

2019

(e) Division of Purchases and Stores:		
For the fiscal year ending		
September 30, 1966:		
For salaries	112,450.00	
For other expenses	17,750.00	
For equipment purchases	750.00	
Total		130,950.00
For the fiscal year ending		
September 30, 1967:		
For salaries	116,682.00	
For other expenses	17,750.00	
For equipment purchases	750.00	
Total		135,182.00
(f) Division of Service:		
For salaries	432,290.00	
For other expenses	180,000.00	
For equipment purchases	10,000.00	
Total		622,290.00
(g) For equipment purchases in the State Offices		
for the Executive, Administrative and Judicial Department		10,000.00
(h) For the fiscal year ending September 30, 1966:		
For repair and renovation of the First White		
House of the Confederacy		12,000.00
(15) GORGAS MEMORIAL BOARD:		
To provide for the appropriation authorized by		
Act No. 417, 1943 Acts, page 383, and an additional amount—Total		4,750.00
(16) HALL OF FAME BOARD:		
For payment of expenses of the Board.		1,000.00
(17) DEPARTMENT OF HEALTH:		
(a) For General Health Work:		
For salary of the State		
Health Officer	14,000.00	
For other salaries	620,000.00	
For other expenses	226,000.00	
Branch Laboratories in Bir-		
mingham and Mobile	51,000.00	
Total		911,000.00
(b) For study, care and treatment of cancer		140,000.00
(c) For County Health Work:		
For transfer to the County Health Work		
Account		375,000.00
(d) For Dental Program:		
For salaries	27,800.00	
For other expenses	12,200.00	
For County Clinics	45,000.00	
Total		85,000.00

(e) For Hospital Care of the Indigent:		
For transfer to the Hospital Care of the Indigent Account		250,000.00
(f) Hospital Licensing:		
For transfer to the Hospital Licensing Account		15,500.00
(g) For Hospital Planning:		
For salaries	29,340.00	
For other expenses	7,160.00	
Total		36,500.00
(h) For Mental Hygiene:		
For salaries	51,120.00	
For other expenses	13,880.00	
County clinics and training	35,900.00	
Total		100,900.00
(i) For Polio Program and Tuberculosis Drugs:		
For the purchase of Polio Vaccine and Tuberculosis Drugs		75,000.00
(j) For Pollution Control:		
For salaries	42,000.00	
For other expenses	11,500.00	
Total		53,500.00
(k) For Radiation Control:		
For salaries	25,260.00	
For other expenses	24,740.00	
Total		50,000.00
(l) For Tuberculosis Testing:		
For salaries	59,850.00	
For other expenses	49,650.00	
For equipment purchases	2,500.00	
Total		112,000.00
(m) For Tuberculosis and Chronic Lung Disorders Treatment:		
For the care and treatment of patients with tuberculosis and Chronic Lung Disorders in the several Tuberculosis Hospitals in the State. Provided, however, that not more than 5% of this appropriation may be used for the treatment of diseases other than tuberculosis		2,814,294.00
(n) For Venereal Disease Control:		
For salaries	30,000.00	
For other expenses	16,500.00	
Total		46,500.00
(17-A) DEPARTMENT OF HEALTH:		
(a) For General Health Work:		
For other salaries	188,500.00	

REGULAR SESSION

2021

For other expenses	54,000.00	
For equipment purchases	10,000.00	
Total		252,500.00
(b) For study, care and treatment of cancer		20,000.00
(c) For County Health Work:		
For transfer to the County Health Work Account		175,000.00
(d) For Dental Program:		
For the fiscal year ending September 30, 1966:		
For salaries	886.00	
For other expenses	480.00	
Total		1,366.00
For the fiscal year ending September 30, 1967:		
For salaries	1,390.00	
Total		1,390.00
(e) For Hospital Care of the Indigent:		
For transfer to the Hospital Care of the Indigent Account		25,000.00
(f) For Hospital Planning:		
For the fiscal year ending September 30, 1966:		
For salaries	585.00	
For other expenses	840.00	
Total		1,425.00
For the fiscal year ending September 30, 1967:		
For salaries	1,467.00	
Total		1,467.00
(g) For Mental Hygiene:		
For the fiscal year ending September 30, 1966:		
For salaries	1,149.00	
For other expenses	1,340.00	
Total		2,489.00
For the fiscal year ending September 30, 1967:		
For salaries	2,556.00	
Total		2,556.00
(h) For Pollution Control:		
For the fiscal year ending September 30, 1966:		
For salaries	1,155.00	
For other expenses	900.00	
Total		2,055.00

For the fiscal year ending
September 30, 1967:

For salaries 2,100.00

Total 2,100.00

(i) For Radiation Control:

For the fiscal year ending
September 30, 1966:

For salaries 255.00

For other expenses 960.00

Total 1,215.00

For the fiscal year ending
September 30, 1967:

For salaries 1,263.00

Total 1,263.00

(j) For Shellfish Sanitation:

For the fiscal year ending
September 30, 1966:

For salaries 42,600.00

For other expenses 24,900.00

For equipment purchases 17,500.00

Total 85,000.00

For the fiscal year ending
September 30, 1967:

For salaries 64,800.00

For other expenses 29,200.00

For equipment purchases 6,000.00

Total 100,000.00

(k) For Tuberculosis Testing:

For the fiscal year ending
September 30, 1966.

For salaries 347.00

For other expenses 2,520.00

Total 2,867.00

For the fiscal year ending
September 30, 1967:

For salaries 2,993.00

Total 2,993.00

(l) For Tuberculosis and Chronic Lung Disorders Treatment:

For the care and treatment of patients with tuberculosis and Chronic Lung Disorders in the several Tuberculosis Hospitals in the State. Provided, however, that not more than 5% of this appropriation may be used for the treatment of diseases other than tuberculosis

126,291.00

REGULAR SESSION

2023

(m) For Venereal Disease Control:

For the fiscal year ending

September 30, 1966:

For salaries 744.00

For other expenses 4,220.00

Total 4,964.00

For the fiscal year ending

September 30, 1967:

For salaries 1,626.00

For other expenses 3,380.00

Total 5,006.00

The appropriations set out hereinabove in
Section 17-A are conditional upon the
condition of the treasury and with the ap-
proval of the Governor.

(18) RICHMOND PEARSON HOBSON MEMORIAL BOARD:

To provide the appropriation authorized by Act
No. 536, 1943 Acts, page 510 and an additional
amount—Total

4,750.00

(19) PLANNING AND INDUSTRIAL DEVELOPMENT BOARD:

For the fiscal year ending

September 30, 1966:

For the salary of the Director 12,000.00

For other salaries 241,500.00

For other expenses 147,000.00

For equipment purchases 13,000.00

For National Advertising Promotion 100,000.00

Total 513,500.00

For the fiscal year ending

September 30, 1967:

For the salary of the Director 12,000.00

For other salaries 241,500.00

For other expenses 150,000.00

For equipment purchases 10,000.00

For National Advertising Promotion 25,000.00

Total 438,500.00

In addition to the appropriations hereinabove
made to the Planning and Industrial Develop-
ment Board, There is hereby appropriated the
sum of one hundred thousand dollars (\$100,-
000.00) for other expenses for each of the fiscal
years ending September 30, 1966, and Septem-
ber 30, 1967, said appropriation to be payable
conditional upon the condition of the Gen-
eral Fund and the approval of the Governor.

(20) DEPARTMENT OF INDUSTRIAL
RELATIONS:For the fiscal year ending
September 30, 1966:

For salaries	188,900.00
For other expenses	42,825.00
For equipment purchases	600.00

Total	232,325.00
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For the fiscal year ending
September 30, 1967:

For salaries	189,700.00
For other expenses	42,825.00
For equipment purchases	600.00

Total	233,125.00
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(21) DEPARTMENT OF INSURANCE:

For salary of the Director	12,000.00
For other salaries	209,500.00
For other expenses	82,530.00
For equipment purchases	500.00

Total	304,530.00
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(22) STATE LABOR DEPARTMENT:

For salary of the Director	10,500.00
For other salaries	57,292.00
For other expenses	21,000.00
For equipment purchases	3,000.00

Total	91,792.00
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(23) LAGRANGE HISTORICAL COMMISSION:

To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, Page 540	1,800.00
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(24) PUBLIC LIBRARY SERVICE DIVISION:

For salaries	38,350.00
For other expenses	21,410.00
For Books and Periodicals	175,300.00

Total	235,060.00
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(25) MILITARY DEPARTMENT:

(a) For operation of the Department:

For salary of the Adjutant General	13,000.00
For other salaries	273,000.00
For other expenses	88,000.00
For equipment purchases	7,000.00

Total	381,000.00
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REGULAR SESSION

2025

(b) For Quarterly Allowances	260,000.00
Provided that not more than \$5,000.00 may be allotted in any fiscal year for the Headquarters, Alabama National Guard, and not more than \$1,500.00 may be allotted in any fiscal year for the Division Headquarters.	
(c) For Active Military Service—Active National Guard	72,000.00
(d) For Active Military Service—Militia	4,750.00
(e) For transfer to the Armory Commission— For care and maintenance of armories	500,000.00
(f) For the fiscal year ending September 30, 1966: For transfer to the Armory Commission, conditional upon the condition of the General Fund and the approval of the Governor, for the construction of an office building for the Military Department at Montgomery	100,000.00
(26) UNIVERSITY OF ALABAMA-MUSEUM FUND:	
For operation and maintenance	38,000.00
(27) DEPARTMENT OF PENSIONS AND SECURITY:	
For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security	10,560,000.00
For transfer to the Department of Pensions and Security for the support, maintenance, and operations of the functions of Pensions and Security conditional upon the condition of the state treasury and approval of the Governor.....	1,500,000.00
(28) PERSONNEL DEPARTMENT:	
For transfer to the Personnel Department for the payment of the State's General Fund share of the cost of operating the Department,	
For the fiscal year ending September 30, 1966.....	38,493.00
For the fiscal year ending September 30, 1967	39,792.00
(29) POULTRY DISEASE CONTROL:	
For salaries	77,700.00
For other expenses	20,000.00
For equipment purchases	5,000.00
Total	102,700.00

This appropriation to be expended by the State Veterinarian at the direction of the Commissioner of Agriculture.

(30) DEPARTMENT OF PUBLIC SAFETY:

For the fiscal year ending September 30, 1966:		
For the salary of the Director	13,000.00	
For other salaries	4,509,500.00	
For other expenses	1,100,000.00	
For equipment purchases	300,000.00	
Total		5,922,500.00
For the fiscal year ending September 30, 1967:		
For the salary of the Director	13,000.00	
For other salaries	4,509,500.00	
For other expenses	1,100,000.00	
For equipment purchases	50,000.00	
Total		5,672,500.00

(31) BUREAU OF PUBLICITY AND
INFORMATION:

For the fiscal year ending September 30, 1966:		
For the salary of the Director	10,500.00	
For other salaries	31,072.00	
For other expenses	26,716.00	
For equipment purchases	4,300.00	
For Mobile's Junior Miss Pageant	14,250.00	
For Guntersville Boat Races	9,500.00	
For the Blue and Gray Football Game	10,000.00	
Total		106,338.00
For the fiscal year ending September 30, 1967:		
For the salary of the Director	10,500.00	
For other salaries	32,621.00	
For other expenses	26,716.00	
For equipment purchases	500.00	
For Mobile's Junior Miss Pageant	14,250.00	
For Guntersville Boat Races	9,500.00	
For the Blue and Gray Football Game	10,000.00	
Total		104,087.00

(32) DEPARTMENT OF REVENUE:

(a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department,		
For the fiscal year ending September 30, 1966		539,960.00
For the fiscal year ending September 30, 1967		563,623.00
(b) Boards of Equalization:		
For salaries of the members and employees of the county boards of equalization	126,000.00	
For other expenses	3,200.00	
Total		129,200.00

REGULAR SESSION

2027

(33) OFFICE OF SECRETARY OF
STATE:For the fiscal year ending
September 30, 1966:

For salary of the Secretary of State	10,000.00
For other salaries	37,348.00
For other expenses	8,000.00
For equipment purchases	1,500.00

Total	56,848.00
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For the fiscal year ending
September 30, 1967:

For salary of the Secretary of State	10,000.00
For other salaries	38,402.00
For other expenses	8,000.00
For equipment purchases	1,500.00

Total	57,902.00
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In addition to the appropriations hereinabove made to the office of the Secretary of State, the following sums for the purposes enumerated are hereby appropriated, to be paid only upon the enactment into law of HB 1 or SB 2 of the 1965 Regular Session.

For the fiscal year ending
September 30, 1966:

For other salaries	3,872.00
For other expenses	7,600.00
For equipment purchases	11,000.00

Total	22,472.00
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For the fiscal year ending
September 30, 1967:

For other salaries	7,092.00
For other expenses	8,600.00

Total	15,692.00
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(34) SECURITIES COMMISSION:

For salaries	31,421.00
For other expenses	3,000.00
For equipment purchases	500.00

Total	34,921.00
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(35) SOCIAL SECURITY ADMINISTRA-
TION:For the fiscal year ending
September 30, 1966:

For salaries	43,684.00
For other expenses	12,000.00
For equipment purchases	1,000.00

Total	56,684.00
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For the fiscal year ending
September 30, 1967:

For other salaries	44,125.00
For other expenses	12,000.00
For equipment purchases	500.00

Total	56,625.00
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(36) FOR PREVENTION AND CONTROL
OF DISEASES OF SWINE:

For salaries	52,250.00
For other expenses	24,000.00
For equipment purchases	6,000.00
For purchase of vaccines and serum	30,000.00

Total	112,250.00
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This appropriation to be expended by the State
Veterinarian at the direction of the Commis-
sioner of Agriculture.

(37) FOR DISEASE OF SWINE-
DIAGNOSTIC LABORATORY:

For salaries	39,100.00
For other expenses	12,000.00
For equipment purchases	5,000.00

Total	56,100.00
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This appropriation to be expended by the State
Veterinarian at the direction of the Commis-
sioner of Agriculture.

(38) STATE TOXICOLOGIST:

For the fiscal year ending
September 30, 1966:

For the salary of the State Toxicologist	13,000.00
For other salaries	145,404.00
For other expenses	30,000.00
For equipment purchases	14,000.00

Total	202,404.00
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For the fiscal year ending
September 30, 1967:

For the salary of the State Toxicologist	13,000.00
For other salaries	150,465.00
For other expenses	30,000.00
For equipment purchases	14,000.00

Total	207,465.00
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(39) OFFICE OF THE STATE
TREASURER:

For the fiscal year ending
September 30, 1966:

For the salary of the State Treasurer	10,000.00
For other salaries	130,166.00

REGULAR SESSION

2029

For other expenses	43,350.00	
For equipment purchases	14,300.00	
Total		197,816.00

For the fiscal year ending September 30, 1967:		
For the salary of the State Treasurer	10,000.00	
For other salaries	132,785.00	
For other expenses	46,670.00	
For equipment purchases	1,400.00	
Total		190,855.00

(40) DEPARTMENT OF VETERANS'
AFFAIRS:

For the fiscal year ending September 30, 1966:		
For the salary of the Service Commissioner	12,000.00	
For other salaries	447,926.00	
For other expenses	38,000.00	
For equipment purchases	3,000.00	
For Contract with Veterans of Foreign Wars Organization	22,150.00	
For Contract with Disabled American Veterans Organization	5,550.00	
Total		528,626.00

For the fiscal year ending September 30, 1967:		
For the salary of the Service Commissioner	12,000.00	
For other salaries	475,961.00	
For other expenses	38,000.00	
For equipment purchases	3,000.00	
For Contract with Veterans of Foreign Wars Organization	22,150.00	
For Contract with Disabled American Veterans Organization	5,550.00	
Total		556,661.00

B. DEVELOPMENT AND CONSERVATION OF
NATURAL RESOURCES:

(1) DEPARTMENT OF AGRICULTURE AND
INDUSTRIES:

For transfer to the Agricultural Fund for salaries, other expenses and equipment purchases for the Department of Agriculture and Industries....	340,150.00
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(2) STATE SOIL CONSERVATION
COMMITTEE:

For salaries	22,618.00	
For other expenses	43,615.00	
For equipment purchases	3,000.00	
For Watershed Planning Party	40,000.00	
Total		109,233.00

(3) DEPARTMENT OF CONSERVATION:

(a) For transfer to Department of Conservation-State Forestry Fund—For salaries, other expenses and equipment purchases for the Division of State Forestry	680,000.00
(b) For transfer to Department of Conservation-State Lands Funds—For salaries, other expenses and equipment purchases for the State Lands Division	25,757.00
(c) For transfer to the Department of Conservation-State Parks Fund—For salaries, other expenses and equipment purchases for the State Parks Division	137,750.00
(d) For transfer to the Department of Conservation-State Parks Fund—For salaries and other expenses necessary for the operation of Blue Springs State Park	14,782.00
(e) For the fiscal year ending September 30, 1966: For salaries and other expenses incident to the qualifying under and entering into the Federal Land and Water Conservation Fund program of the U. S. Department of the Interior. This appropriation to be expended at the direction of the Director of Conservation. Provided, however, that any balance remaining in this appropriation at the end of the fiscal year ending September 30, 1966, shall not revert, but shall be carried over into the fiscal year ending September 30, 1967, and may be expended for the above stated purposes	100,000.00

(4) FIRE ANT CONTROL:

For the purchase of insecticides and other chemicals	23,750.00
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This appropriation to be expended by the Department of Agriculture and Industries upon approval of amounts to be expended by the State Board of Agriculture and Industries.

(5) FORT MORGAN HISTORICAL COMMISSION:

For salaries	25,200.00
For other expenses	9,200.00
For equipment purchases	1,500.00
Total	35,900.00

(6) GEOLOGICAL SURVEY:

For the salary of the State Geologist	12,000.00
For other salaries	154,516.00
For other expenses	67,900.00
For equipment purchases	37,500.00
For matching Federal funds for investigation of the surface water and ground water resources of the State	125,000.00

REGULAR SESSION

2031

Contractural Services for Test Drilling	12,500.00	
Total		409,416.00

(7) OIL AND GAS BOARD:

For salaries	131,250.00	
For other expenses	55,600.00	
For equipment purchases	9,000.00	
For salaries, other expenses and equipment purchases to be allotted upon opening of New Oil and Gas Fields	25,000.00	
Total		220,850.00

C. HOSPITAL AND CORRECTIONAL FUNCTIONS:

(1) BOARD OF CORRECTIONS:

For transfer to Board of Corrections	1,637,000.00
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(2) ALABAMA STATE HOSPITALS:

For the support, maintenance and repair of the Alabama State Hospitals, the sum of \$2.75 per day, per patient, Estimated	7,489,800.00
For training Psychiatric Nurses	45,600.00

(3) PARTLOW STATE SCHOOL FOR MENTAL DEFICIENTS:

For the support, maintenance, and repair of the Partlow State School the sum of \$2.75 per day, per patient, Estimated	2,148,390.00
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(4) ARREST OF ABSCONDING FELONS:

For expenses incident to the arrest of absconding felons, estimated	1,000.00
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(5) FEEDING OF PRISONERS:

For expenses of feeding prisoners in county jails, estimated	660,000.00
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(6) BOARD OF PARDONS AND PAROLES:

For the fiscal year ending September 30, 1966:		
For salaries of Board Members	31,500.00	
For other salaries	454,150.00	
For other expenses	80,000.00	
For equipment purchases	20,000.00	
Total		585,650.00

For the fiscal year ending September 30, 1967:		
For salaries of Board Members	31,500.00	
For other salaries	464,400.00	
For other expenses	80,000.00	
For equipment purchases	20,000.00	

Total	595,900.00
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(7) REMOVAL OF PRISONERS:

For expenses incident to removal of prisoners, estimated	65,000.00
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D. DEBT SERVICE:

- | | |
|--|------------|
| (1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII,
For the fiscal year ending September 30, 1966..... | 265,537.50 |
| For the fiscal year ending September 30, 1967..... | 265,518.75 |
| (2) For the payment of principal and interest on bonds issued for hospital construction pursuant to Constitutional Amendment No. CXXI and Constitutional Amendment No. CLVIII,
For the fiscal year ending September 30, 1966..... | 456,791.25 |
| For the fiscal year ending September 30, 1967..... | 460,782.50 |
| (3) For interest on Spanish American War Veterans Fund, estimated | 294.86 |
| (4) For the payment of principal and interest due on bonds issued by State Docks—Inland Waterways, pursuant to Constitutional Amendment No. CXVI,
For the fiscal year ending September 30, 1966..... | 675,877.50 |
| For the fiscal year ending September 30, 1967..... | 683,747.50 |

E. MISCELLANEOUS:

- | | |
|---|------------|
| (1) For advertising lands for tax sale, estimated..... | 7,500.00 |
| (2) Alabama Agricultural and Industrial Exhibit Commission | 25,000.00 |
| (3) For payment of Attorneys fees in indigent capital cases (as provided in Act No. 176, 1947 Acts, page 61), estimated | 32,500.00 |
| (4) Automatic Appeal Expense as provided in 1943 Acts of Legislature, page 217, estimated | 3,000.00 |
| (5) For Civil Court Cost in connection with Ad Valorem tax assessment appeals, estimated..... | 100.00 |
| (6) For Court Costs to be paid by the State of Alabama, pursuant to Act No. 558, Acts 1957, page 777, estimated | 230,000.00 |
| (7) For Court Costs to be paid by the State of Alabama not otherwise provided for, estimated | 40,000.00 |
| (8) For distribution of public documents, estimated.... | 2,000.00 |
| (9) Election expenses, estimated, For the fiscal year ending September 30, 1966 | 400,000.00 |
| For the fiscal year ending September 30, 1967 | 325,000.00 |
| This appropriation made pursuant to provisions of Act No. 160, 1955 Acts, page 407, for costs and expenses of elections. | |

REGULAR SESSION

2033

(10) Departmental Emergency Fund	150,000.00
This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.	
(11) State Employees Insurance: To pay the State's share of the State Employees Insurance Program, Estimated	150,000.00
(12) Employees' Retirement Fund (State's Part): For the fiscal year ending September 30, 1966, estimated	557,000.00
For the fiscal year ending September 30, 1967, estimated	616,000.00
(13) For expenses of Governor's Proclamations, For the fiscal year ending September 30, 1966, estimated	75,000.00
For the fiscal year ending September 30, 1967, estimated	25,000.00
(14) For transfer to Telephone Revolving Fund, For the fiscal year ending September 30, 1966	15,000.00
(15) For Mailing Tax Notices, estimated	6,000.00
(16) Purchase Code Pocket Supplement, For the fiscal year ending September 30, 1966, estimated	40,000.00
(17) For printing of State and County Privilege Licenses, estimated	6,500.00
(18) For Registration of Voters, For the fiscal year ending September 30, 1966, estimated	200,000.00
For the fiscal year ending September 30, 1967, estimated	125,000.00
(19) For State's share of Social Security, For the fiscal year ending September 30, 1966, estimated	275,000.00
For the fiscal year ending September 30, 1967, estimated	325,000.00
(20) For Spanish War Veterans and Widows Encampment	1,000.00
(21) Tennessee-Tombigbee Waterway Development Authority	40,000.00
(To carry out the provisions of Act No. 355, 1957 Regular Session, approved August 23, 1957)	
(22) Commission on Uniform State Laws	3,000.00
Total amount appropriated by Act No. 926, Acts 1951, page 1575, for expenses, operation and contributions of Commission.	
(23) First White House of the Confederacy: For salaries and other expenses	5,000.00
(24) Commission to Preserve the Peace: For other salaries	15,475.00
For other expenses	21,725.00
For equipment purchases	800.00
Total	38,000.00

(25) Advisory Committee for Economic Opportunity: For salaries, other expenses, and equipment purchases		20,000.00
(26) State Sovereignty Commission: To carry out the provisions of Act No. 514 of the 1963 Regular Session		100,000.00
(27) University of Alabama— University Hospital and Hillman Clinic: For the fiscal year ending September 30, 1967: For outpatient and inpatient care of patients with mental illness who are residents of the State		332,000.00
(28) Farmers Market Authority: For salaries, other expenses and equipment purchases for operation of Farmers Market Authority		25,000.00
The appropriation hereinabove made shall be payable to the Farmers Market Authority contingent upon the enactment into law of SB 99 of the 1965 Regular Session. Provided, however, in the event said Senate Bill is not enacted into law, the above appropriation shall be paid to the Agriculture Center Board for salaries, other expenses, and equipment purchases for operations of farmers markets.		
(29) Livestock Coliseum: For the fiscal year ending September 30, 1966: For transfer to Livestock Coliseum Fund		30,000.00
F. FROM FUNDS OTHER THAN GENERAL FUND:		
(1) AERONAUTICS DEPARTMENT:		
For the fiscal year ending September 30, 1966:		
For salary of the Director	10,500.00	
For other salaries	40,544.00	
For other expenses	30,000.00	
For equipment purchases	4,000.00	
Total		85,044.00
For State Aid for Airports—		
For Airports and Airmarkings		500,000.00
For the fiscal year ending September 30, 1967:		
For salary of the Director	10,500.00	
For other salaries	41,767.00	
For other expenses	30,000.00	
For equipment purchases	4,000.00	
Total		86,267.00
For State Aid for Airports—		
For Airports and Airmarkings		500,000.00
The above appropriation to Aeronautics Department shall be paid from the State Airports Development Fund as provided by Act No. 402, Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.		

(2) AGRICULTURE AND INDUSTRIES:

(a) For the fiscal year ending September 30, 1966:		
For the salary of the Commissioner	10,000.00	
For other salaries	839,500.00	
For other expenses	340,000.00	
For equipment purchases	60,000.00	
For Awarding Prizes and Premiums	35,000.00	
Total		1,284,500.00
For the fiscal year ending September 30, 1967:		
For salary of the Commissioner	10,000.00	
For other salaries	850,000.00	
For other expenses	340,000.00	
For equipment purchases	60,000.00	
For Awarding Prizes and Premiums	35,000.00	
Total		1,295,000.00

The above appropriations are payable from funds in the Agricultural fund and the total expenditures shall in no manner exceed the amounts hereby appropriated, but said appropriations shall also include the appropriation made in III B (1).

- (b) Transfer to Funds from the Agricultural Fund:
- For the fiscal year ending
September 30, 1966:
- (1) For transfer to Agricultural Center Board for operation and rental (Livestock Coliseum, Montgomery) 89,770.00
 - (2) For transfer to State Personnel Department 4,417.00
 - (3) Livestock Coliseum 23,750.00
 - (4) White-Fringed Beetle 50,650.00
 - (5) For transfer to Shipping Point Inspection Fund to be expended by Department of Agriculture and Industries for salaries, other expenses and equipment purchases for inspection, grading and classification of fruits and vegetables at Jefferson County Truck Growers Association, farmers' market 8,550.00
 - (6) For transfer to Shipping Point Inspection Fund to be expended by Department of Agriculture and Industries for salaries, other expenses

and equipment purchases for inspection, grading and classification of fruits and vegetables at Wiregrass Farmers Produce Market in Houston County	4,750.00	
(7) Apiary and Bee Inspection... (Contingent upon enactment of HB 653, 1965 Regular Session)	12,000.00	
Total		193,887.00
For the fiscal year ending September 30, 1967:		
(1) For transfer to Agricultural Center Board for operation and rental (Livestock Coliseum, Montgomery)	88,420.00	
(2) For transfer to State Personnel Department	4,566.00	
(3) Livestock Coliseum	23,750.00	
(4) White-Fringed Beetle	50,650.00	
(5) For transfer to Shipping Point Inspection Fund to be expended by Department of Agriculture and Industries for salaries, other expenses and equipment purchases for inspection, grading and classification of fruits and vegetables at Jefferson County Truck Growers Association, farmers' market	8,550.00	
(6) For transfer to Shipping Point Inspection Fund to be expended by Department of Agriculture and Industries for salaries, other expenses and equipment purchases for inspection, grading and classification of fruits and vegetables at Wiregrass Farmers Produce Market in Houston County	4,750.00	
(7) Apiary and Bee Inspection... (Contingent upon enactment of HB 653, 1965 Reg. Session)	12,000.00	
Total		192,686.00
(Provided, however, that any surplus remaining in the Agricultural Fund at the end of a fiscal year in excess of \$50,000.00 shall be transferred to the State General Fund.)		

(c) Egg Inspection Division:

For the fiscal year ending
September 30, 1966:

For salaries	60,375.00
For other expenses	34,000.00
For equipment purchases	4,000.00

Total	98,375.00
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For the fiscal year ending
September 30, 1967:

For salaries	63,000.00
For other expenses	34,000.00
For equipment purchases	4,000.00

Total	101,000.00
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The above appropriations are payable from funds in the Egg Inspection Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(d) 1. Agriculture Center Board:

For the fiscal year ending
September 30, 1966:

For salaries	15,120.00
For other expenses	5,500.00
For rental (Livestock Coliseum, Montgomery)	67,950.00

Total	88,570.00
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For the fiscal year ending
September 30, 1967:

For salaries	15,120.00
For other expenses	5,500.00
For rental (Livestock Coliseum, Montgomery)	66,600.00

Total	87,220.00
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The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in subsection (b) hereof.

2. Livestock Coliseum:

For the fiscal year ending
September 30, 1966:

For salaries	29,400.00
For other expenses	80,950.00
For equipment purchases	5,000.00

Total	115,350.00
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For the fiscal year ending
September 30, 1967:

For salaries	29,400.00
For other expenses	50,950.00
For equipment purchases	5,000.00

Total	85,350.00
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The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation hereinabove includes the appropriation made to said Fund as provided in sub-section (b) hereof and III E (29).

(e) White-Fringed Beetle Control:

For salaries	9,500.00
For other expenses	3,000.00
For purchase of necessary insecticides for eradication of White-Fringed Beetle	37,500.00
Total	50,000.00

The funds hereinabove appropriated for the eradication of the White-Fringed Beetle shall be paid out of the White-Fringed Beetle Control Fund and includes the appropriation made to said Fund as provided in sub-section (b) hereof.

(f) Shipping Point Inspection Fund:

There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956), For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses and equipment purchases all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including service furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities. This appropriation shall also include the amount appropriated under subsection (b) hereof which appropriation shall be expended by Department of Agriculture and Industries for inspection, grading and classification of fruits and vegetables at Jefferson County Truck Growers Association, farmers market, and Wiregrass Farmers Produce Market.

(g) Apiary and Bee Inspection and Control:

For payment of salaries, other expenses and equipment purchases

12,000.00

(The foregoing expenditure is contingent upon enactment of HB 653, 1965 Regular Session)

The funds hereinabove appropriated for Apiary and Bee Inspection Control shall be paid out of the Apiary and Bee Inspection Fund and includes the appropriation made to said fund as provided in sub-section (b) hereof.

(3) ALCOHOLIC BEVERAGE CONTROL BOARD:

(a) Administrative and Stores Division:

For the fiscal year ending
September 30, 1966:

For salary of the Administrator	14,000.00
For other salaries	3,807,500.00
For other expenses (Transportation cost for merchandise excluded)	925,000.00
For equipment purchases	35,000.00
Awards for Conviction, Estimated	6,000.00
For transfer to State Personnel Department	16,364.00
For transfer to Commission on Education with Respect to Alcoholism	296,000.00
For transfer to Education Department for Temperance Education	33,841.00
For transportation cost on merchandise, estimated	162,000.00

Total Estimated 5,295,705.00

For the fiscal year ending
September 30, 1967:

For salary of the Administrator	14,000.00
For other salaries	3,931,400.00
For other expenses (Transportation cost for merchandise excluded)	925,000.00
For equipment purchases	35,000.00
Awards for Convictions, Estimated	7,000.00
For transfer to State Personnel Department	16,917.00
For transfer to Commission on Education with Respect to Alcoholism	296,000.00
For transfer to Education Department for Temperance Education	33,841.00
For transportation cost on merchandise, estimated	165,000.00

Total Estimated 5,424,158.00

In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during each fiscal year, an amount equal to the sum required to install the last comparable retail store put into operation by said Board, provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period.

There is further appropriated to the alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For the fiscal year ending

September 30, 1966:

For salaries	786,500.00
For other expenses	220,000.00
For equipment purchases	50,000.00

Total

1,056,500.00

For the fiscal year ending

September 30, 1967:

For salaries	823,250.00
For other expenses	220,000.00
For equipment purchases	50,000.00

Total

1,093,250.00

The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.

(c) Beer Tax and Licenses Division:

For the fiscal year ending

September 30, 1966:

For salaries	234,200.00
For other expenses	110,000.00
For equipment purchases	1,000.00

Total

345,200.00

For the fiscal year ending

September 30, 1967:

For salaries	244,700.00
For other expenses	110,000.00
For equipment purchases	1,000.00

Total

355,700.00

In addition to the above appropriation it is further provided that, in the event any county of the State shall, during either of the fiscal periods covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county, there is further appropriated, in addition to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties of similar size and population. Provided, further, that the amount appropriated herein shall be reduced in like manner in the event any county wherein malt and brewed

beverages are now authorized by law to be sold shall, during either of the fiscal periods covered by this appropriation by proper referendum, declare unlawful the sale in such county of such malt or brewed beverages.

(4) COMMISSION ON EDUCATION WITH
RESPECT TO ALCOHOLISM:

For salaries	189,000.00
For other expenses	58,020.00
For equipment purchases	5,000.00

Total	252,020.00
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The above appropriation shall include the operation and maintenance of the Alcoholic Clinic in Mobile, and shall be paid out of the funds transferred from the Alcoholic Beverage Control Board.

Commission on Alcoholism—East Alabama Clinic: For operation and maintenance	30,000.00
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The above appropriation shall be paid out of the funds transferred from the Alcoholic Beverage Control Board to the Commission on Education With Respect to Alcoholism.

(5) STATE BOARD OF REGISTRATION
FOR ARCHITECTS:

For salaries	1,800.00
For other expenses	7,500.00

Total	9,300.00
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The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

(6) ARMORY COMMISSION:

For the fiscal year ending
September 30, 1966:

For salaries	262,500.00
For other expenses	492,000.00
For equipment purchases	20,000.00

Total	774,500.00
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For the fiscal year ending
September 30, 1967:

For salaries	268,800.00
For other expenses	480,000.00
For equipment purchases	20,000.00

Total	768,800.00
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The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the credit of the Armory Commission and the appropriation

hereinabove made includes the appropriation made for the care and maintenance of armories as provided in Item III A (25) (e) in this Act.

(7) OFFICE OF THE ATTORNEY
GENERAL:

For salary of the Attorney General	12,000.00	
For salary of the Deputy Attorney General	11,000.00	
For other salaries	278,800.00	
For other expenses	88,700.00	
For equipment purchases	9,000.00	
Total		399,500.00

The above appropriation shall be paid from funds transferred to, or received by, the office of the Attorney General provided in this or any other Act.

(8) ALABAMA STATE BAR
ASSOCIATION:

For salaries	36,000.00	
For other expenses	50,000.00	
For equipment purchases	1,000.00	
Total		87,000.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(9) BOARD OF CHIROPRACTIC
EXAMINERS:

For salaries	400.00	
For other expenses	2,814.50	
Total		3,214.50

The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Chiropractic Examiners Fund as provided by Act No. 108, 1959 Regular Session, approved August 26, 1959.

(10) CONSERVATION DEPARTMENT:

(a) Administrative Division:

For the fiscal year ending
September 30, 1966:

For salary of the Director	13,000.00	
For other salaries	301,744.00	
For other expenses	125,000.00	
For equipment purchases	9,000.00	
For transfer to Personnel Department	11,970.00	
For transfer to Attorney General's Department	11,630.00	

Total		472,344.00
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For the fiscal year ending September 30, 1967:		
For salary of the Director	13,000.00	
For other salaries	307,995.00	
For other expenses	125,000.00	
For equipment purchases	9,000.00	
For transfer to Personnel Department	12,374.00	
For transfer to Attorney General's Department	11,630.00	
Total		478,999.00

The above appropriation shall be paid out of the Department of Conservation-Administrative Fund and includes the appropriations made to this Division as provided in this section.

(b) State Forestry Division: For the fiscal year ending September 30, 1966:		
For salaries	1,496,880.00	
For other expenses	367,000.00	
For equipment purchases	103,100.00	
For transfer to Conservation Department-Administrative Account	182,047.00	
Total		2,149,027.00

For the fiscal year ending September 30, 1967:		
For other salaries	1,507,756.00	
For other expenses	367,000.00	
For equipment purchases	103,100.00	
For transfer to Conservation Department-Administrative Account	185,465.00	
Total		2,163,321.00

The funds hereinabove appropriated to the Forestry Division shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Item III, B (3) (a) of this Act. In the event of an emergency, so determined by the Director of Conservation and the Governor, the Director of Conservation with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Division of Forestry. (Provided, however, that any surplus remaining in the Forestry Fund at the end of a fiscal year in excess of \$50,000.00 shall be transferred to the State General Fund.)

(c) Game and Fish Division: For the fiscal year ending September 30, 1966:		
For salaries	1,107,165.00	

JOURNAL OF THE SENATE, 1965

For other expenses	595,000.00	
For equipment purchases	175,000.00	
For transfer to Conservation Department-Administrative Account	214,114.00	
Total		2,091,279.00

For the fiscal year ending September 30, 1967:		
For salaries	1,158,240.00	
For other expenses	534,785.00	
For equipment purchases	175,000.00	
For transfer to Conservation Department-Administrative Account	218,134.00	
Total		2,086,159.00

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

(d) State Lands Division:		
For the fiscal year ending September 30, 1966:		
For salaries	40,000.00	
For other expenses	16,000.00	
For equipment purchases	7,500.00	
For transfer to Conservation Department-Administrative Account	5,161.00	
Total		68,661.00

For the fiscal year ending September 30, 1967:		
For other salaries	40,000.00	
For other expenses	16,000.00	
For equipment purchases	7,500.00	
For transfer to Conservation Department-Administrative Account	5,258.00	
Total		68,758.00

The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III B (3) (b) in this Act.

(e) State Parks Division:		
For the fiscal year ending September 30, 1966:		
For salaries	228,114.00	
For other expenses	190,000.00	
For equipment purchases	20,000.00	
For transfer to Conservation Department-Administrative Account	30,886.00	
Total		469,000.00

REGULAR SESSION

2045

For salaries incident to the operation of Blue Spring State Park	8,782.00	
For other expenses incident to the operation of Blue Springs State Park	6,000.00	
Total		14,782.00

For the fiscal year ending September 30, 1967:		
For salaries	228,114.00	
For other expenses	190,000.00	
For equipment purchases	20,000.00	
For transfer to Conservation Department-Administrative Account	31,465.00	
Total		469,579.00

For salaries incident to the operation of Blue Springs State Park	8,782.00	
For other expenses incident to the operation of Blue Springs State Park	6,000.00	
Total		14,782.00

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III B (3) (c) (d) in this Act.

(f) Seafoods Division:		
For the fiscal year ending September 30, 1966:		
For salaries	136,440.00	
For other expenses	87,050.00	
For equipment purchases	38,005.00	
For transfer to Conservation Department-Administrative Account	30,854.00	
For Gulf State Marine Fisheries Commission	3,500.00	
For contract with University of Alabama and/or other institutions or agencies for research on seafoods	50,000.00	
Total		345,849.00

For the fiscal year ending September 30, 1967:		
For other salaries	140,882.00	
For other expenses	87,050.00	
For equipment purchases	14,220.00	
For transfer to Conservation Department-Administrative Account	31,434.00	

For Gulf State Marine Fisheries Commission	3,500.00	
For contract with University of Alabama and/or other institutions or agencies for research on seafoods	50,000.00	
Total		327,086.00

In addition to the monies hereinabove appropriated, all monies derived from contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Seafood Division Laboratory at Dauphine Island is hereby appropriated to the Division of Seafoods and may be expended by the Director of Conservation on such Seafood Division programs or projects which he deems appropriate.

The funds hereinabove appropriated to the Seafood Division shall be paid out of the Seafood Fund.

(g) Water Safety Division:		
For the fiscal year ending September 30, 1966:		
For salaries	167,951.00	
For other expenses	120,500.00	
For equipment purchases	50,000.00	
For transfer to Conservation Department-Administrative Account	26,938.00	
Total		365,439.00
For the fiscal year ending September 30, 1967:		
For salaries	180,944.00	
For other expenses	124,100.00	
For equipment purchases	46,600.00	
For transfer to Conservation Department-Administrative Account	27,443.00	
Total		379,087.00

The funds hereinabove appropriated to the Water Safety Division shall be paid out of the State Water Safety Fund.

(11) STATE LICENSING BOARD FOR
GENERAL CONTRACTORS:

For the fiscal year ending September 30, 1966:		
For salaries	38,999.00	
For other expenses	19,475.00	
For equipment purchases	500.00	
Total		58,974.00

REGULAR SESSION

2047

For the fiscal year ending
September 30, 1967:

For salaries	39,176.00
For other expenses	19,475.00
For equipment purchases	500.00

Total	59,151.00
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In addition to the amounts appropriated herein-
above to the State Licensing Board for General
Contractors, there is hereby appropriated such
an amount as may be necessary to pay the re-
fund of any application for license which may
have been rejected by the Board or application
withdrawn by request of applicant.

The above appropriation is payable out of the
funds in the State Treasury to the credit of the
State Licensing Board for General Contractors
pursuant to Title 46, Chapter 4, Code of Ala-
bama 1940.

(12) BOARD OF CORRECTIONS:

For the fiscal year ending
September 30, 1966:

For the salary of the Commissioner	12,000.00
For transfer to the State Personnel Department	9,474.00
For transfer to the Attorney General's Department	10,600.00

For the fiscal year ending
September 30, 1967:

For the salary of the Commissioner	12,000.00
For transfer to the State Personnel Department	9,794.00
For transfer to the Attorney General's Department	10,600.00

So much as may be necessary of all fees, receipts,
income and appropriations to the Board of Cor-
rections is hereby appropriated to the said Board
of Corrections for the payment of all salaries,
expenses and equipment purchases and for addi-
tions and betterments as may be necessary for
the proper maintenance and operation of the
convict system.

(13) ALABAMA BOARD OF COSME- TOLOGY:

For the fiscal year ending
September 30, 1966:

For salaries	41,125.00
For other expenses	32,000.00
For equipment purchases	3,100.00

Total	76,225.00
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For the fiscal year ending
September 30, 1967:

For salaries	43,043.00
For other expenses	32,000.00
For equipment purchases	1,900.00

Total	76,943.00
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The above appropriation shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

(14) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department, For the fiscal year ending September 30, 1966.....	2,518.00
For the fiscal year ending September 30, 1967.....	2,603.00

The above appropriation shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(15) STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For the fiscal year ending September 30, 1966:		
For salaries	27,006.00	
For other expenses	25,000.00	
For equipment purchases	1,000.00	
Total		53,006.00

For the fiscal year ending September 30, 1967:		
For salaries	27,783.00	
For other expenses	25,000.00	
For equipment purchases	1,000.00	
Total		53,783.00

The above appropriation is payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(16) STATE BOARD OF REGISTRATION FOR FORESTERS:

For other expenses	2,455.00	
For equipment purchases	300.00	
Total		2,755.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

(17) HEALTH DEPARTMENT:

(a) Hospital Licensing:		
For salaries	17,010.00	
For other expenses	8,800.00	
Total		25,810.00

The above appropriations are payable from funds in the Hospital Licensing Fund and

the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include the appropriations made to the said fund as provided in Item III A (17) (f) in this Act.

(b) Bureau of Vital Statistics:

For salaries	94,500.00	
For other expenses	14,000.00	
For equipment purchases	2,000.00	
Total		110,500.00

The above appropriation is payable from the funds in the Vital Statistics Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(c) County Health Work:

For salaries, other expenses and equipment purchases	550,000.00
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The above appropriation is payable from the funds transferred to this account in Item III A (17) (c) and Item III A (17-A) (c) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(d) Indigent Care:

For salaries	6,300.00	
For other expenses	3,700.00	
For distribution to counties, estimated	265,000.00	
Total estimated		275,000.00

The above appropriation is payable from the funds transferred to this account in Item III A (17) (e) and Item III A (17-A) (e) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(18) HIGHWAYS AND BRIDGES:

For the fiscal year ending September 30, 1966:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay the same; and for the compensation of the State Highway Director, \$15,000.00; for transfer to the State Personnel Department the sum of \$82,286.00; for transfer to the Attorney General's Department \$57,070.00; for maintenance and construction of roads and bridges, for salaries, and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to

the Highway Department; and all funds accruing to the Highway Department by virtue of Federal Aid.

For the fiscal year ending September 30, 1967:

For interest and sinking funds on outstanding highway bonds, so much of the gasoline taxes and motor vehicle licenses collected as may be necessary to pay the same; and for the compensation of the State Highway Director, \$15,000.00; for transfer to the State Personnel Department the sum of \$85,060.00; for transfer to the Attorney General's Department \$57,070.00; for maintenance and construction of roads and bridges, for salaries, and for other expenses of the Highway Department, the residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department; and all funds accruing to the Highway Department by virtue of Federal Aid.

(19) DEPARTMENT OF INDUSTRIAL RELATIONS:

For the fiscal year ending September 30, 1966:

For the salary of the Director, estimated	13,000.00
For transfer to the State Personnel Department	13,626.00

For the fiscal year ending September 30, 1967:

For salary of the Director, estimated	13,000.00
For transfer to the State Personnel Department	14,086.00

For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and operations for which the United States Government may provide monies; there is hereby appropriated, in addition to the amounts appropriated herein in Item III A (20), all such sums as the United States Government may make available therefor.

(20) STATE INSURANCE FUND:

For the fiscal year ending
September 30, 1966:

For salaries	64,563.00
For other expenses	29,789.00
For equipment purchases	4,000.00

Total	98,352.00
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For the fiscal year ending
September 30, 1967:

For salaries	64,941.00
For other expenses	29,789.00
For equipment purchases	4,000.00

Total	98,730.00
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The above appropriations are payable out of the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

(21) LAW ENFORCEMENT FUND 8,000.00

The above appropriation shall be paid from the proceeds deposited to the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized from such fund are limited to the amount appropriated herein.

(22) DEPARTMENT OF BANKING-LOAN
EXAMINATION FUND:

For salaries, estimated 55,000.00
For other expenses, estimated 20,000.00

Total estimated 75,000.00

The above appropriation shall be paid out of the Loan Examination Fund as provided in Act No. 374, 1959 Regular Session, approved November 6, 1959.

(23) MENTAL HEALTH:

- (a) To the Alabama State Hospitals:
For the support, maintenance and repair of the Alabama State Hospitals, \$0.50 per day per patient, estimated 1,387,000.00
- (b) To Partlow State School for Mental Deficients:
For support, maintenance and repair of Partlow State School for Mental Deficients, \$0.50 per day per patient,
For the fiscal year ending September 30, 1966, estimated 392,375.00
For the fiscal year ending September 30, 1967, estimated 401,500.00
- (c) To the Board of Trustees of the University of Alabama:
For the Medical College of Alabama, for salaries of professional and related personnel in its Department of Psychiatry and for stipends and scholarships to be paid to trainees in the field of psychiatry,
For the fiscal year ending September 30, 1966 275,605.00
For the fiscal year ending September 30, 1967 301,700.00
- (d) To the Board of Trustees of the University of Alabama:
For the University Hospital and Hillman Clinics, for outpatient and inpatient care of patients with mental illness who are residents of the State,
For the fiscal year ending September 30, 1966 500,000.00
For the fiscal year ending September 30, 1967 668,000.00
- (e) To the State Department of Public Health:
For the establishment and operation of mental hygiene clinics in the State and for the training of and employment of personnel for services in the field of mental health; and for research in the field of mental health 65,000.00

- (f) For the payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI,
For the fiscal year ending September 30, 1966, estimated 194,781.25
For the fiscal year ending September 30, 1967, estimated 191,481.25
- (g) To the State Health Department, Division of Mental Hygiene, for establishment and operation of regional and community mental health clinics and for training of professional mental health personnel 150,000.00
- (h) To University of Alabama, Psychological Clinic, for the training of psychologist..... 20,000.00
- (i) To Auburn University, Psychology Department, for the training of psychologists..... 5,000.00
- (j) To the Superintendent, Alabama State Hospitals, to provide drugs to medically indigent mental patients not hospitalized at the time of receiving drugs 100,000.00

The appropriations herein made shall be paid from the funds deposited in the State Treasury to the credit of the Alabama Special Mental Health Fund.

(24) ALABAMA MILK CONTROL BOARD:

For the fiscal year ending September 30, 1966:		
For salaries	84,865.00	
For other expenses	44,934.00	
For equipment purchases	4,000.00	
Total		133,799.00
For the fiscal year ending September 30, 1967:		
For salaries	84,865.00	
For other expenses	47,434.00	
For equipment purchases	1,500.00	
Total		133,799.00

The above appropriation shall be paid out of the Milk Control Board Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

(25) BOARD OF NURSES' EXAMINERS
AND REGISTRATION:

For the fiscal year ending September 30, 1966:		
For salaries	35,210.00	
For other expenses	19,895.00	
For equipment purchases	8,500.00	
Total		63,605.00

For the fiscal year ending
September 30, 1967:

For other salaries	36,145.00
For other expenses	22,245.00
For equipment purchases	3,000.00

Total	61,390.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(26) PENSIONS:

- (a) For Confederate veterans and their widows:
Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

(27) DEPARTMENT OF PENSIONS AND SECURITY:

For the fiscal year ending September 30, 1966:	
For the salary of the Commissioner	13,000.00
For transfer to the State Personnel Department.....	23,188.00

For the fiscal year ending September 30, 1967:	
For the salary of the Commissioner	13,000.00
For transfer to State Personnel Department.....	23,971.00

For other salaries and expenses incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated, in addition to the amounts set out in Item III A (27), all Federal, State, County and Municipal funds made available therefor, provided that for the fiscal year ending September 30, 1966, not more than the sum of \$4,300,000.00, and for the fiscal year ending September 30, 1967, not more than the sum of \$4,900,000.00 of the State funds herein appropriated for welfare purposes may be used for administrative purposes of the Department, including employer's contribution to the Federal old age, survivors and disability insurance program; provided, further, that not more than twenty-seven and one-half per centum of the State funds appropriated herein for welfare purposes may be allotted in any one quarter of a fiscal year.

(28) PERSONNEL DEPARTMENT:

For the fiscal year ending September 30, 1966:	
For salary of the Director	12,000.00
For other salaries	146,942.00
For other expenses	46,400.00
For equipment purchases	1,500.00

Total	206,842.00
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For the fiscal year ending
September 30, 1967:

For salary of the Director	12,000.00
For other salaries	152,694.00
For other expenses	46,400.00
For equipment purchases	3,200.00

Total	214,294.00
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The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

(29) PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four per cent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

(30) PUBLIC SERVICE COMMISSION:

For salary of the President and two Associate Commissioners	33,500.00
For other salaries	216,500.00
For other expenses	100,000.00
For equipment purchases	12,500.00

Total	362,500.00
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The above appropriation to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission; and all receipts from fees and taxes paid to the Alabama Public Service Commission in excess of \$50,000.00 at the end of each fiscal year shall revert to the General Fund in the State Treasury.

(31) ALABAMA REAL ESTATE COM-
MISSION:

For the fiscal year ending September 30, 1966:	
For salaries	27,481.00
For other expenses	25,200.00
For equipment purchases	500.00

Total	53,181.00
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For the fiscal year ending
September 30, 1967:

For salaries	28,224.00
For other expenses	25,200.00
For equipment purchases	500.00

Total	53,924.00
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The above appropriation shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, of the Code of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(32) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (32) (a) of this Act.

For the fiscal year ending September 30, 1966	539,960.00
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For the fiscal year ending September 30, 1967	563,623.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Financial Institution Excise Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1966	60,094.00
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For the fiscal year ending September 30, 1967	62,728.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1966	60,094.00
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For the fiscal year ending September 30, 1967	62,728.00
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There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Gasoline Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1966	399,069.00
For the fiscal year ending September 30, 1967	416,558.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from Income Tax collections, for the cost of collecting said tax,	
For the fiscal year ending September 30, 1966	900,340.00
For the fiscal year ending September 30, 1967	939,798.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Iron Ore Tonnage Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1966	6,497.00
For the fiscal year ending September 30, 1967	6,783.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Mileage Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1966	100,143.00
For the fiscal year ending September 30, 1967	104,532.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Fuel Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1966	230,698.00
For the fiscal year ending September 30, 1967	240,807.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Motor Vehicle License collections as part of cost of operating said Department,	
For the fiscal year ending September 30, 1966	232,800.00

For the fiscal year ending September 30, 1967	243,003.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax,	
For the fiscal year ending September 30, 1966	70,805.00
For the fiscal year ending September 30, 1967	73,909.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the Public School Fund as part of the cost of collection of the 3-Mill Ad Valorem Tax,	
For the fiscal year ending September 30, 1966	175,720.00
For the fiscal year ending September 30, 1967	183,418.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Sales Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1966	2,267,370.00
For the fiscal year ending September 30, 1967	2,366,736.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Store License Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1966	34,650.00
For the fiscal year ending September 30, 1967	36,169.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of the Tobacco Tax collections as part of the cost of operating said Department,	
For the fiscal year ending September 30, 1966	379,517.00
For the fiscal year ending September 30, 1967	396,150.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account, from the gross proceeds of Use Tax collections as part of the cost of operating said Department,

For the fiscal year ending September 30, 1966	181,910.00
For the fiscal year ending September 30, 1967	189,881.00
For the fiscal year ending September 30, 1966:	
Total	5,639,667.00
For the fiscal year ending September 30, 1967:	
Total	5,886,823.00
There is hereby appropriated to the Revenue Department from the gross proceeds of Motor Vehicle License collections for the purchase only, of motor vehicle license tags,	
For the fiscal year ending September 30, 1966	698,775.00
For the fiscal year ending September 30, 1967	768,653.00

(33) DEPARTMENT OF REVENUE-
ADMINISTRATIVE ACCOUNT:

For the fiscal year ending September 30, 1966:	
For the salary of the Commissioner	14,000.00
For other salaries	3,833,865.00
For other expenses	1,448,250.00
For equipment purchases	84,277.00
For transfer to State Personnel Department	10,600.00
Total	5,390,992.00
For the fiscal year ending September 30, 1967:	
For the salary of the Commissioner	14,000.00
For other salaries	4,035,448.00
For other expenses	1,518,968.00
For equipment purchases	49,406.00
For transfer to State Personnel Department	10,958.00
Total	5,628,780.00

The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by Local Acts of the Legislature as a charge for the collection of taxes or licenses.

(34) TEMPERANCE EDUCATION:

For salaries	21,756.00	
For other expenses	12,085.00	
Total		33,841.00

The appropriation hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(35) STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries	100.00	
For other expenses	4,350.00	
For equipment purchases	50.00	
Total		4,500.00

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

(36) BUREAU OF PUBLICITY AND INFORMATION:

For State Publicity and Tourist Promotion,	
For the fiscal year ending September 30, 1966.....	355,000.00
For the fiscal year ending September 30, 1967.....	375,000.00

The above appropriation shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

(37) LIQUIFIED PETROLEUM GAS BOARD:

For salary of Director	10,000.00	
For other salaries	20,040.00	
For other expenses	15,675.00	
For equipment purchases	3,500.00	
Total		49,215.00

The above appropriation shall be paid from receipts paid into the Liquified Petroleum Gas Fund.

(38) STATE BOARD OF REGISTRATION FOR
SANITARIANS:

For salaries, other expenses, and equipment
purchases 5,000.00

The above appropriation shall be paid from the
receipts collected under the provisions of Act
No. 209, Second Special Session, 1964.

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as 'estimated', and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuition, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are re-appropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 8. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 9. That this Act shall become effective on October 1, 1965.

Mr. Gilchrist offered the following amendment to the substitute for the Bill, H. B. 390, to-wit:

AMENDMENT TO H. B. 390

Amend Section 2, III, (17), (a) on page 9 of the bill by changing the words and figures thereof to read as follows:

“(a) For General Health Work:		
For salaries	634,000.00	
For other expenses	226,000.00	
Branch Laboratories in Birmingham and Mobile	51,000.00	
Total		911,000.00”

Which was adopted.

Mr. Cooper offered the following amendment to the substitute, as amended, for the Bill, H. B. 390, to-wit:

Amendment to H. B. 390, as amended

Strike out Section 2 III (20) of the bill and insert in lieu thereof the following:

(20) DEPARTMENT OF INDUSTRIAL RELATIONS:

For the fiscal year ending
September 30, 1966:

For salaries	198,400.00	
For other expenses	44,825.00	
For equipment purchases	1,100.00	
Total		244,325.00

For the fiscal year ending
September 30, 1967:

For salaries	199,700.00	
For other expenses	44,825.00	
For equipment purchases	600.00	
Total		245,125.00

On motion of Mr. Smith, the amendment offered by Mr. Cooper was laid on the table.

Yeas 18; Nays 11.

Yeas:

Messrs.:	Eddins	McDow	Smith	
Adams	Evans	Montgomery	Taylor	
Bentley	Gilchrist	Oden	Tyson	
Carter	Givhan	Roberts	Wilson	
Dumas	Horton	Robison (Pickens)		—18

Nays:

Messrs.:	Cooper	Hornsby	McCain	
Allen	Hammond	James	Reynolds	
Brannan	Hawkins	Lolley	Robison (Montgomery)	—11

Mr. Taylor moved that the Senate reconsider the vote by which it laid on the table the amendment offered by Mr. Cooper to the substitute, as amended, for the Bill, H. B. 390.

On motion of Mr. Smith, the motion to reconsider was laid on the table.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Eddins	James	Roberts
Adams	Evans	McDow	Robison (Pickens)
Bentley	Gilchrist	Montgomery	Smith
Carter	Givhan	Oden	Wilson
Dumas	Horton		

—17

Nays:

Messrs.:	Hammond	Lolley	Robison (Montgomery)
Allen	Hawkins	Lowe	Taylor
Brannan	Hornsby	McCain	Tyson
Cooper			

—12

Mr. Cooper offered the following amendment to the substitute as amended, for the Bill, H. B. 390, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 390

Amend the Substitute for HB 390 by adding at the end of sub-section III, (C) (1) of Section 2 on page 18 the following words and figures:

"For transfer to Board of Corrections, conditional upon the condition of the treasury and the approval of the Governor _____ 1,000,000.00"

Which was adopted.

Mr. Robison (Montgomery) offered the following amendment to the substitute, as amended, for the Bill, H. B. 390, to-wit:

Amend H. B. 390, as amended, by adding at the end of subsection E of Section III the following:

"(30) Alabama-Coosa River Improvement Association Incorporated:
For the fiscal year ending September 30, 1966: 10,000.00

The above appropriation to be used to help pay expenses incurred in or incidental to the conducting of ground breaking ceremonies marking the commencement of work at Jones Bluff, in Autauga and Lowndes Counties, on additional locks and dams on the Alabama River."

Which was adopted.

Mr. Lolley offered the following amendment to the substitute, as amended, for the Bill, H. B. 390, to-wit:

Amendment to H. B. 390 as amended

Strike out Section 2 III (10) and insert in lieu thereof the following:

(10) Building Commission:
For salaries _____ 73,992.00

For other expenses	12,237.00	
For equipment purchases	740.00	
Total		86,969.00

Which resulted in a tie vote.

Yeas 11; Nays 11.

Yeas:

Messrs.:	Brannan	Hawkins	Roberts	
Adams	Cooper	James	Smith	
Allen	Evans	Lolley	Taylor	—11

Nays:

Messrs.:	Dumas	McCain	Montgomery	
Bentley	Eddins	McDow	Robison (Pickens)	
Carter	Lowe	Metcalf	Shelton	—11

The President and Presiding Officer of the Senate voted "Yea", therefore the amendment offered by Mr. Lolley was adopted.

Mr. Lolley then offered the following amendment to the substitute, as amended, for the Bill, H. B. 390, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 390

Amend the substitute for H. B. 390 as follows:

Strike the whole of Section 2, III, A, (6) of the bill and insert in lieu thereof the following:

"(6) OFFICE OF THE ATTORNEY GENERAL:

For transfer to the office of the Attorney General for the payment of the State's General Fund share of the cost of operation of the Department	262,035.00"
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Further amend the substitute for H. B. 390 as follows:

Strike the whole of Section 2, III, F, (7) of the bill and insert in lieu thereof the following:

"(7) OFFICE OF THE ATTORNEY GENERAL:

For salary of the Attorney General	12,000.00	
For Salary of the Deputy Attorney General	11,000.00	
For other salaries	234,335.00	
For other expenses	66,000.00	
For equipment purchases	5,000.00	
Total		328,335.00

The above appropriation shall be paid from funds transferred to, or received by, the office of the Attorney General provided in this or any other Act."

On motion of Mr. Metcalf, said amendment offered by Mr. Lolley, was laid on the table.

Mr. McCain then offered the following amendment to the substitute, as amended, for the Bill, H. B. 390, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 390

Amend H. B. 390, Section III Executive, A. (15) Gorgas Memorial Board, by deleting therefrom the figures \$4750.00 and inserting in lieu thereof the following: \$9,500.00.

Which was adopted.

Yeas 14; Nays 13.

Yeas:

Messrs.:	Givhan	McCain	Robison (Montgomery)	
Brannan	Hawkins	McDow	Robison (Pickens)	
Dumas	Hornsby	Montgomery	Tyson	
Gilchrist	Horton	Reynolds		—14

Nays:

Messrs.:	Carter	Lolley	Metcalf	
Adams	Cooper	Lowe	Taylor	
Allen	Evans	Mathews	Wilson	
Bentley	James			—13

Mr. Brannan then offered the following amendment to the substitute, as amended, for the Bill, H. B. 390, to-wit:

AMENDMENT TO SUBSTITUTE FOR H. B. 390:

Further amend H. B. 390, as substituted, by striking the whole of sub-subsection (3) under Section III subsection A and insert in lieu thereof the following:

"(3) For the Mansion Fund	25,000.00
For the fiscal year ending September 30, 1966:	
For paying claims against the State for work and service rendered and supplies and materials furnished in the construction and equipment of the Governor's Mansion at Gulf State Park	9,049.72"

Which was adopted.

Yeas 22; Nays 8.

Yeas:

Messrs.:	Eddins	Horton	Robison (Montgomery)	
Adams	Evans	Lowe	Robison (Pickens)	
Allen	Gilchrist	Metcalf	Smith	
Bentley	Givhan	Montgomery	Taylor	
Brannan	Hawkins	Reynolds	Tyson	
Cooper	Hornsby	Roberts		—22

Nays:

Messrs.:	James	Mathews	McDow	
Carter	Lolley	McCain	Shelton	
Dumas				—8

Mr. Gilchrist offered the following amendment to the substitute, as amended, for the Bill, H. B. 390, to-wit:

Amendment to Substitute for H. B. 390

Amend the substitute for H. B. 390 by adding at the end of Section 2 III E the following:

"(31) Mountain Lakes Association 5,000.00"

Which was adopted.

Mr. Horton offered the following amendment to the substitute as amended, for the Bill, H. B. 390, to-wit:

Amendment to Substitute for H. B. 390

Amend the substitute for H. B. 390 by adding at the end of Section 2 III E the following:

"(32) Tennessee Valley Livestock Show For the fiscal year ending September 30, 1966..... 5,000.00"

Which was adopted.

Mr. Bentley offered the following amendment to the substitute, as amended, for the Bill, H. B. 390, to-wit:

Amendment to H. B. 390, as amended

On page 21 of the substitute, strike out Section 2 III E (26) entirely, and renumber items (27), (28), and (29) of subsection III E accordingly.

Which was lost.

Yeas 10; Nays 16.

Yeas:

Messrs.:	Hawkins	McCain	Shelton	
Bentley	Hornsby	Montgomery	Taylor	
Gilchrist	Horton	Roberts		—10

Nays:

Messrs.:	Eddins	Lolley	Nichols	
Adams	Evans	Lowe	Robison (Pickens)	
Allen	Givhan	Mathews	Smith	
Brannan	James	McDow	Tyson	
Cooper				—16

Mr. Nichols offered the following amendment to the substitute, as amended, for the Bill, H. B. 390, to-wit:

Amendment to H. B. 390, as amended

Further amend H. B. 390 as follows:

Strike the whole of Subsection III F. (5) of Section 2 on page 30 and insert in lieu thereof the following:

"(5) STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For salaries	2,400.00
For other expenses	13,709.00
For equipment purchases	1,000.00

Total	17,109.00
-------------	-----------

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended."

Which was adopted.

Mr. McCain offered the following amendment to the substitute as amended, for the Bill, H. B. 390, to-wit:

Amendment to Substitute for H. B. 390

Amend H. B. 390, Section III E.

Miscellaneous (26) State Sovereignty Commission by deleting therefrom the figures \$100,000.00 and inserting in lieu thereof the following: \$50,000.00.

Which was lost.

Yeas 13; Nays 18.

Yeas:

Messrs.:	Hawkins	Metcalf	Robison (Montgomery)
Bentley	Hornsby	Montgomery	Shelton
Dumas	Horton	Roberts	Wilson
Gilchrist	McCain		

—13

Nays:

Messrs.:	Eddins	Lowe	Robison (Pickens)
Adams	Evans	Mathews	Smith
Allen	Givhan	McDow	Taylor
Brannan	James	Nichols	Tyson
Cooper	Lolley	Reynolds	

—18

And said substitute, as amended, for the Bill, H. B. 390, was then adopted by the Senate.

Yeas 31; Nay 1.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Allen	Givhan	Mathews	Roberts
Bentley	Hammond	McCain	Robison (Montgomery)
Brannan	Hawkins	McDow	Robison (Pickens)
Carter	Hornsby	Metcalf	Shelton
Cooper	Horton	Montgomery	Smith
Eddins	James	Nichols	Taylor
Evans	Lolley	Oden	Tyson

—31

Nay: Mr. Dumas

—1

And said Bill, H. B. 390, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Bentley	Clark	Eddins
Adams	Brannan	Cooper	Evans
Allen	Carter	Dumas	Gilchrist

Givhan	Lolley	Montgomery	Robison (Pickens)
Hammond	Lowe	Nichols	Shelton
Hawkins	Mathews	Oden	Smith
Hornsby	McCain	Reynolds	Taylor
Horton	McDow	Roberts	Tyson
James	Metcalf	Robison (Montgomery)	Wilson

—35

Nays:

—0

The Bill:

H. 1061. To provide facilities for displaying certain exhibits in co-operation with the Army and NASA; creating the Army and Space Exhibits Commission as an agency of the State of Alabama and providing for its membership, terms, authority, and duties; authorizing the issuance of bonds; and providing exemptions from all taxes.

was taken up.

Mr. Roberts offered the following substitute for the Bill, H. B. 1061, to-wit:

Substitute for H. B. 1061

A BILL
TO BE ENTITLED
AN ACT

To provide facilities for displaying certain exhibits in cooperation with the Department of The Army and the National Aeronautics and Space Administration; creating the Alabama Space Science Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a state agency to be known as the Alabama Space Science Exhibit Commission, for the purpose of providing for and participating in the management and control of facilities to house and display such visual exhibits of space exploration and hardware used therefor as may be made available by the National Aeronautics and Space Administration. Such facility shall constitute a permanent housing for the National Aeronautics and Space Administration exhibit, which shall be open to the general public and shall be located at a place to be designated and made available in Madison County for a nominal cost through the co-operation of the Department of the Army, or such other location as the Commission may deem appropriate. The commission is further empowered to provide such facilities as will be mutually agreed upon between the Commission and Department of the Army for the housing and display of Army weaponry and mementos of National Defense.

Section 2. The commission created herein shall consist of eighteen members, to be appointed by the Governor, who shall be bona fide residents and qualified voters of this State, at least three of whom shall be residents of Madison County. The remaining members of the commission shall be appointed from throughout the State in such manner as to provide general statewide representation on the commission, but all members shall be qualified persons of unquestioned loyalty to this coun-

try who are knowledgeable and interested in national defense and space exploration and in the promotion of interest in such fields. Nine of the original members shall be appointed for terms of four years and nine members shall be appointed for terms of eight years. Thereafter, all members shall serve for terms of eight years. All members shall serve until their successors are appointed and qualified, but any member may be removed by the Governor for just cause. Vacancies shall be filled in the same manner as original appointments are made. The first chairman of the commission shall be appointed by the Governor from among the original appointees. Thereafter, each succeeding chairman shall be selected by the other members of the commission. Members of the commission shall serve without compensation but shall be entitled to reimbursement for actual expenses incurred in the performance of the duties of the commission. The commission shall hold at least one annual meeting at the site of the exhibit, and one-half of the members shall constitute a quorum for the transaction of any business which may properly come before the commission at any such meeting. The commission shall have the right to adopt such rules and regulations as may be necessary to carry out the effect and purposes of this Act, and shall be authorized to provide for an executive committee of not fewer than five of its members to whom it may delegate such powers and authority as the commission may deem to be advisable.

Section 3. The commission shall be authorized:

1. to investigate and select an available site for housing the exhibits, including the surrounding grounds, in cooperation with the Department of The Army and the community, taking into consideration all pertinent factors affecting the suitability of such site;

2. to acquire by rent or lease agreement or otherwise, the necessary housing facilities; and to establish, improve and enlarge the available facility, including providing it with necessary equipment, furnishings, landscaping, and related facilities, including parking areas and ramps, roadways, sewers, curbs, and gutters;

3. To enter into such contracts and cooperative agreements with the local, state, and federal government, with agencies of such governments including the Department of The Army and the National Aeronautics and Space Administration, with private individuals, corporations, associations, and other organizations, as the commission may deem necessary or convenient to carry out the purposes of this Act, with such contracts and agreements to include leases to private industry;

4. to borrow money from private sources or such other source as may be acceptable to the commission under such terms and conditions as may be provided by law, and, in order to provide security for the repayment of any such private loans, the commission shall have the authority to pledge such future revenues from admissions and any other sources as may from time to time, be necessary or desirable;

5. to issue and sell, subject to the approval of the Governor, interest bearing general obligation bonds not in excess of one million, nine hundred thousand dollars (\$1,900,000) in principal amount, as authorized by constitutional amendment. Such bonds shall be general obligations of the State of Alabama with the full faith and credit and taxing power of the State to be pledged to the prompt and faithful payment of the principal of the bonds and the interest thereon. The proceeds from the sale of such bonds shall be used exclusively for the purpose of paying the expenses incurred in the sale and issuance thereof and for the construction, establishment, improvement or enlargement and equipment of building facilities and related grounds including the renewal or replacement of structural parts of such facility, but not including the purchase of the site for such facility;

6. to issue and sell at any time and from time to time its revenue bonds for the purpose of providing funds to acquire, enlarge, improve, equip and maintain a facility, and for the payment of obligations incurred for such purposes. The principal and interest on any such revenue bonds shall be payable solely out of the revenues derived from the project;

7. to make such contracts in the issuance of its bonds as may seem necessary or desirable to assure their marketability and to provide for their retirement by a pledge of all or any revenue which may come to the commission from the investment of the proceeds of the sale of such bonds or from any other source whatsoever;

8. to accept public or private gifts, grants and donations;

9. to acquire property by purchase, lease, gift, or license, but not to include the purchase of a site for the facility;

10. to allocate and expend funds from all donations, income and revenue from any source whatsoever coming into its treasury, for the fulfillment and accomplishment of its duties and responsibilities in such manner as may be necessary and appropriate for the perfection of the purposes of this Act;

11. to sell, convey, transfer, lease or donate any property, franchise, grant easement, license or lease or interest therein which it may own, and to transfer, assign, sell, convey or donate any right, title or interest which it may have in any lease, contract, agreement, license or property;

12. to employ an executive director and such additional personnel as may be necessary to accomplish the purposes of this Act; to define their duties, and to fix their compensation;

13. to make such rules and regulations as the commission may deem necessary and desirable to provide for the operation, management and control of the facility in cooperation with the Department of The Army and with the National Aeronautics and Space Administration;

14. to perform such other acts necessary or incidental to the accomplishment of the purposes of this Act whether or not specifically authorized in this section, and not otherwise prohibited by law.

Section 4. All bonds shall be issued, subject to the approval of the Governor, in such forms, denominations, series and numbers, may be of such tenor and maturities, may bear such date or dates, may be in registered or bearer form either as to principal or interest or both with rights of conversion into another form, may be payable in such installments and at such place or places, may bear interest at such rate or rates payable and evidenced in such manner, and may contain provisions for redemption at the option of the State to be exercised by said commission at such date or dates prior to their maturity and upon payment of such redemption price or prices, all as shall be provided by said commission in the resolution or resolutions whereunder the bonds are authorized to be issued. The principal of each series of bonds shall mature in annual installments in such amounts as shall be specified in the resolution or resolutions of the said commission under which they are issued, the first of which installments shall mature not later than one year after the date of the bonds of such series, and the last of which installments shall mature not later than twenty years after the date of the bonds of the same series. When each series of bonds is issued, the maturities of the bonds of that series shall, to such extent as may be practicable, be so arranged that during each then succeeding fiscal year of the State the aggregate installments of principal and interest that will mature on all bonds that will be outstanding hereunder, im-

mediately following the issuance of the bonds of that series, will be substantially equal; provided that the determination by the said commission that the requirements of this sentence have been complied with shall be conclusive of such compliance and the purchasers of the bonds with respect to such determination is made and all subsequent holders thereof shall be fully protected thereby. None of the bonds shall be sold for less than face value plus accrued interest thereon to the date of delivery. All of the bonds shall be sold only at public sale or sales, either on sealed bids or at public auction, after such advertisement as may be prescribed by said commission, to the bidder whose bid reflects the lowest net interest cost to the State computed to the respective maturities of the bonds sold; provided, that if no bid deemed acceptable by the said commission is received, all bids may be rejected. The bonds shall be signed in the name of the State by the Governor and countersigned by the chairman of the commission and the great seal of the State of Alabama or a facsimile thereof shall be impressed, printed, or otherwise reproduced thereon and shall be attested by the signature of the secretary of state; provided that facsimile signatures of any one or any two (but not all) of said officers may be reproduced on such bonds in lieu of their manually signing the same. Coupons attached to the bonds and representing installments of interest thereon shall be signed with the facsimile signature of the state treasurer, which facsimile signature is hereby adopted as due and sufficient authentication of said coupons.

Section 5. The commission, its property and income and all bonds issued by the commission, the income from such bonds, or from the investment of such income, and all conveyances, leases, mortgages, and deeds of trust by or to the commission shall be exempt from all taxation in the State of Alabama.

Section 6. All revenue bonds issued by the commission shall be solely and exclusively the obligations of the commission and shall not create an obligation or debt of the State or of any county or of any municipality within the State.

Section 6(a). Any general obligation bonds shall also be payable from and secured by a pledge of the revenues and income of the commission remaining after the payment of the reasonable and necessary expenses of operating and maintaining the facilities to be constructed by the commission.

Section 7. It shall be the duty of the commission to maintain at all times accurate records and books of account covering revenues and expenditures which shall be subject to the audit of the department of examiners of public accounts.

Section 8. The provisions of this Act shall be construed liberally, it being the purpose to provide in this State appropriate housing facilities for displaying to the general public exhibits of the Department of The Army and of the National Aeronautics and Space Administration and for providing for the management and control of that portion of the display furnished and supplied by the National Aeronautics and Space Administration by such means as may be feasible and agreed upon.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Roberts
Adams	Gilchrist	Mathews	Robison (Pickens)
Bentley	Givhan	McCain	Shelton
Brannan	Hammond	McDow	Smith
Carter	Hawkins	Nichols	Taylor
Cooper	Hornsby	Oden	Tyson
Dumas	James	Reynolds	Wilson
Eddins	Lolley		

—29

Nays:

—0

And said Bill, H. B. 1061, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Lowe	Roberts
Bentley	Givhan	Mathews	Robison (Pickens)
Brannan	Hammond	McCain	Shelton
Carter	Hawkins	McDow	Smith
Cooper	Hornsby	Montgomery	Taylor
Dumas	Horton	Nichols	Wilson
Eddins	James		

—29

Nays:

—0

The Bill:

H. 1060. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding one million nine hundred thousand dollars (\$1,900,000) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Army and the National Aeronautics and Space Administration.

was taken up.

Mr. Roberts offered the following amendment to the Bill, H. B. 1060, to-wit:

AMENDMENT TO H. B. 1060

In the caption of the bill, insert the words "Department of The" before the word "Army".

Also, in the first paragraph of the proposed constitutional amendment as set out in Section 1 of the bill, first sentence, insert the words "Department of The" before the word "Army."

Also, in the first paragraph of the proposed constitutional amendment as set out in Section 1 of the bill, strike out the last sentence and insert in lieu thereof the following: The proceeds from the sale of such bonds are hereby appropriated and shall be used exclusively for the purpose of paying the expenses incurred in the sale and issuance thereof and for the construction, alteration, improvement, enlargement and equipment of exhibition buildings and related facilities, including park-

ing areas and ramps, roadways, sewers, curbs, and gutters, but not including the purchase of sites therefor. Such buildings and facilities shall be constructed by a space science exhibit commission, or such other state agency as may be created by act of the Legislature, and shall be operated by or in cooperation with the Department of The Army and the National Aeronautics and Space Administration under such arrangements as may be authorized by law.

Also, in the second paragraph of the proposed constitutional amendment, first sentence, strike out the words "The Army and Space Exhibit Commission" and insert the words "The Alabama Space Science Exhibit Commission"

Also, in the second paragraph of the proposed constitutional amendment, strike out the third sentence and insert in lieu thereof the following: The principal of each series of bonds shall mature in annual installments in such an amount as shall be specified in the resolution or resolutions of the said commission under which they are issued, the first of which installments shall mature not later than two years after the date of the bonds of such series and the last of which installments shall mature not later than twenty-one years after the date of the bonds of the same series.

Also, in the next to the last paragraph of the proposed constitutional amendment, strike out the words "The Army and Space Exhibit Fund" and insert the words "The Alabama Space Science Exhibit Commission Fund"

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Roberts
Adams	Gilchrist	Lowe	Robison (Montgomery)
Bentley	Givhan	Mathews	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Cooper	Hornsby	Nichols	Taylor
Dumas	Horton	Oden	Tyson
Eddins	James	Reynolds	Wilson

—31

Nays:

—0

And said Bill, H. B. 1060, as thus amended, was then read a third time at length as required by the Constitution and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Adams	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Metcalf	Shelton
Carter	Hornsby	Montgomery	Smith
Cooper	Horton	Nichols	Taylor
Dumas	James	Oden	Tyson
Eddins	Lolley	Reynolds	Wilson
Evans			

—32

Nays:

—0

FURTHER CONSIDERATION OF H. J. R. 97

The Senate proceeded to further consideration of the Resolution:

H. J. R. 97. Proposing a Constitutional amendment, the so-called "Liberty Amendment".

And said Resolution, H. J. R. 97, was then lost.

BILLS ON THIRD READING RESUMED

The Bill:

H. 401. To make an appropriation from the State Treasury for capital improvements.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, H. B. 401, to-wit:

SUBSTITUTE FOR H. B. 401

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the State Treasury for capital improvements.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from monies in the State Treasury to the credit of the funds designated herein for the fiscal years ending September 30, 1966, and September 30, 1967, to be used for capital improvements only, the following amounts for the specific projects:

Section 2. ARMORY COMMISSION:

- (a) For the fiscal year ending September 30, 1966:

For the erection, construction and equipping of armory facilities required by the Alabama National Guard Units in the following locations and in the amounts specified:

Samson	30,000.00
Prichard	30,000.00
Elba	30,000.00

Total	90,000.00
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The above appropriations shall be paid from the State General Fund.

- (b) For the fiscal year ending September 30, 1966:

For the erection, construction and equipping of an office building for the State Military Department at Montgomery	350,000.00
--	------------

The above appropriation shall be paid from Armory Commission funds and shall include the appropriation made to the Armory Commission under Section 2, III A (25) (f) of the General Appropriation Act for the fiscal year ending September 30, 1966.

Section 3. FARMERS' MARKET AUTHORITY:

There is hereby appropriated to the Farmers' Market Authority, for the purpose of acquiring, erecting, constructing, and equipping farmers' markets, for each of the fiscal years ending September 30, 1966 and September 30, 1967, the sum of \$100,000.00.

The appropriation hereinabove made shall be payable to the Farmers' Market Authority contingent upon the enactment into law of SB 99 or HB 597 of the 1965 Regular Session. Provided, however, in the event said Senate Bill or said House Bill is not enacted into law, the above appropriation shall be paid to the Agriculture Center Board for the purposes above stated.

The above appropriation shall be paid from the State General Fund.

Section 4. MOUND STATE PARK:

There is hereby appropriated to the University of Alabama Museum Fund the following amount for the purpose stated.

For the fiscal year ending September 30, 1966:

For the erection, construction, and equipping of a temple at Mound State Park	35,000.00
---	-----------

The above appropriation shall be paid from the State General Fund.

Section 5. FORT MORGAN HISTORICAL COMMISSION:

For the fiscal year ending September 30, 1966:

For the construction, erection and equipping of a museum at Fort Morgan	40,000.00
---	-----------

The above appropriation shall be paid from the State General Fund.

Section 6. STATE HEALTH DEPARTMENT:

For the fiscal year ending September 30, 1966:

For construction, alteration and equipping of shellfish sanitation laboratory facilities at Mobile.....	15,000.00
---	-----------

The above appropriation shall be conditional upon the condition of the General Fund and the approval of the Governor.

For the fiscal year ending September 30, 1966:

For the construction, reconstruction, alteration and equipping of a tuberculosis sanatorium for recalcitrant patients to be located in Jackson County.	120,000.00
---	------------

Provided, however, that of the above appropriation \$100,000 shall be expended only to match Hill-Burton Funds.

The above appropriation shall be conditional upon the condition of the General Fund and the approval of the Governor.

Section 6A. ALABAMA STATE FAIR AUTHORITY:

For the fiscal year ending September 30, 1966:

For aiding in the construction of a livestock pavilion barn at the state fair grounds	10,000.00
--	-----------

The above appropriation shall be paid from the General
Fund upon approval of the Governor.

Section 7. DEPARTMENT OF CONSERVATION:

(a) Game and Fish Division:

For the fiscal year ending September 30,
1966:

For the construction, reconstruction, al- teration, and improvement of a dam, for topsoil, landscaping and guardrails at DeSota State Park	20,000.00
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For the construction of hatchery ponds and water supply systems at Eastaboga Fish Hatchery	60,000.00
--	-----------

For the construction of public access areas and public fishing lakes.....	107,900.00
--	------------

For the purchase and acquisition of land for public hunting purposes	70,000.00
---	-----------

For building improvements.	40,000.00
---------------------------------	-----------

For shelter erection.....	25,000.00
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For construction of hunter access roads...	20,000.00
--	-----------

For the constructing and equipping of a radio communications system.....	125,000.00
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Total	467,900.00
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For the fiscal year ending September 30,
1967:

For building improvements	28,195.97
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For construction of hunter access roads...	20,000.00
--	-----------

For the construction and equipping of a radio communications system	125,000.00
--	------------

Total	173,195.97
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The above appropriations to be paid from
the Game and Fish Fund.

(b) Division of Forestry:

For the fiscal year ending September 30,
1966:

For an addition to the radio shop	5,000.00
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For the construction of 10 Quonset huts ...	8,000.00
---	----------

For the construction of sanitary facilities	2,000.00
---	----------

For the purchase of two tower sites	400.00
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Total	15,400.00
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For the fiscal year ending September 30,
1967:

For an addition to the Auburn Nursery dwelling	2,812.00
For addition to Lawrence Tower dwelling	2,500.00
For construction of sanitary facilities	2,000.00
For the purchase of two tower sites	400.00

Total	7,712.00
-------------	----------

The above appropriation to be paid from
the Forestry Fund.

(c) Parks Division:

For the fiscal year ending September 30,
1966:

For construction of tent camping area at Oak Mountain State Park	10,000.00
For construction of tent camping area at Chewacla State Park	20,000.00
For the establishment of a Confederate Memorial Park at Mountain Creek, Ala- bama (This appropriation to be expended for the purposes designated by Act No. 225 of the 1964 First Special Session)	15,000.00
For the construction of a tent camping area at DeSoto State Park	30,000.00

Total	75,000.00
-------------	-----------

The above appropriations to be paid from
the State Parks Fund.

(d) Water Safety Division:

For the fiscal year ending September 30,
1966:

For marking the River Channel in Weiss Lake	30,000.00
For the erection and construction of 12 Boat Houses	24,000.00
For the erection and construction of Piers and Ramps	10,600.00
For the purchase and placement of Buoys and Signs	15,500.00

Total	80,100.00
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For the fiscal year ending September 30,
1967:

For the purchase and placement of Buoys and Signs	12,000.00
For the erection and construction of Piers and Ramps	8,000.00

Total	20,000.00
-------------	-----------

The above appropriation shall be paid from
the Water Safety Fund.

(e) Seafoods Division:

For the fiscal year ending September 30,
1966:

For improving oyster beds	30,000.00	
For seafood laboratory	110,000.00	
For snapper bank development	2,000.00	
For oyster rearing stations	8,000.00	
Total		150,000.00

For the fiscal year ending September 30,
1967:

For improving oyster beds	28,000.00	
For seafood laboratory	50,000.00	
For snapper bank development	2,000.00	
Total		80,000.00

The above appropriation shall be paid from
the Seafoods Fund.

The amounts herein appropriated to the several divisions of the Department of Conservation are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items exceed the amount allocated herein, except in the event of an emergency so determined by the Director of Conservation and the Governor any portion of the amounts herein appropriated may be expended to pay the cost of such emergency.

Section 7A. To Cahaba Historical Commission, from the State General Fund, for each of the fiscal years ending September 30, 1966, and September 30, 1967, for the acquisition of lands and improvements thereof, the sum of \$7,500.00.

Section 8. All appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 9. This Act shall become effective October 1, 1965.

Mr. Oden offered the following amendment to the substitute for the Bill, H. B. 401, to-wit:

AMENDMENT TO H. B. 401

Further amend HB 401, as amended, as follows:

Strike the whole of subsection (a) of Section 7 of the bill and insert in lieu thereof the following:

“(a) Game and Fish Division:

For the fiscal year ending September 30,
1966:

For the construction of a public fishing lake in Franklin County	25,000.00
For the construction, reconstruction, alteration, and improvement of a dam, for topsoil, landscaping and guardrails at DeSoto State Park	20,000.00
For the construction of hatchery ponds and water supply systems at Eastaboga Fish Hatchery	60,000.00
For the construction of public access areas and public fishing lakes	107,900.00
For the purchase and acquisition of land for public hunting purposes	70,000.00
For building improvements	40,000.00
For shelter erection	25,000.00
For construction of hunter access roads...	20,000.00
For the constructing and equipping of a radio communications system	100,000.00
Total	467,900.00

For the fiscal year ending September 30,
1967:

For building improvements	28,195.97
For construction of hunter access roads ...	20,000.00
For the construction and equipping of a radio communications system	125,000.00
Total	173,195.97

The above appropriations to be paid from
the Game and Fish Fund.”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lolley	Nichols
Adams	Givhan	Lowe	Oden
Allen	Hammond	Mathews	Robison (Pickens)
Brannan	Hawkins	McCain	Smith
Cooper	Hornsby	Metcalf	Taylor
Eddins	Horton	Montgomery	Tyson
Evans	James		

—25

Nays:

—0

And said substitute, as amended, for the Bill, H. B. 401, was then adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Horton	McDow
Allen	Gilchrist	James	Metcalf
Bentley	Givhan	Lolley	Oden
Brannan	Hammond	Lowe	Shelton
Cooper	Hawkins	Mathews	Taylor
Dumas	Hornsby	McCain	Tyson

—23

Nays:

—0

And said Bill, H. B. 401, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Eddins	James	Nichols
Adams	Evans	Lolley	Reynolds
Allen	Gilchrist	Mathews	Robison (Montgomery)
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Smith
Cooper	Hawkins	Metcalf	Taylor
Dumas	Horton	Montgomery	Tyson

—27

Nays:

—0

The Bill:

H. 655. To make appropriations from the state treasury for use in administering the Appalachian Regional Development Program for Alabama.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Reynolds
Adams	Givhan	Mathews	Robison (Montgomery)
Allen	Hammond	McCain	Robison (Pickens)
Brannan	Hawkins	McDow	Shelton
Cooper	Horton	Metcalf	Taylor
Dumas	James	Montgomery	Tyson
Eddins	Lolley	Nichols	Wilson
Evans			

—28

Nays:

—0

The Bill:

H. 395. To make an appropriation for the support of the Council of State Governments.

Was read a third time at length and passed.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Gilchrist	Mathews	Oden
Adams	Hammond	McCain	Reynolds
Allen	Hawkins	McDow	Robison (Montgomery)
Brannan	Horton	Metcalf	Shelton
Carter	James	Montgomery	Tyson
Cooper	Lolley	Nichols	Wilson
Dumas	Lowe		

—25

Nays: Messrs.: Eddins, Robison (Pickens)

—2

The Bill:

H. 396. To make an appropriation for the support of the Commission on Mental Illness of the Southern Regional Education Board.

Was read a third time at length and passed.

Yeas 25; Nays 5.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Adams	Gilchrist	McCain	Robison (Montgomery)
Allen	Hammond	McDow	Shelton
Bentley	Horton	Metcalf	Smith
Brannan	James	Nichols	Taylor
Carter	Lolley	Oden	Wilson
Cooper	Lowe		

—25

Nays:

Messrs.:	Eddins	Montgomery	Robison (Pickens)
Dumas	Givhan		

—5

The Bill:

H. 397. To provide for cooperation by the State of Alabama with other Southern States in nuclear development of the South, and making an appropriation for that purpose.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Robison (Pickens)
Adams	Gilchrist	Mathews	Shelton
Allen	Givhan	McDow	Smith
Brannan	Hammond	Metcalf	Taylor
Carter	Hornsby	Nichols	Tyson
Cooper	Horton	Reynolds	Wilson
Dumas	James	Robison (Montgomery)	

—26

Nays:

—0

The Bill:

H. 398. To make an appropriation to the use of Choccolocco Creek Watershed Association.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Oden
Adams	Gilchrist	Mathews	Reynolds
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hornsby	Metcalf	Shelton
Cooper	Horton	Montgomery	Tyson
Dumas	James	Nichols	Wilson
Eddins			—28

Nays:

—0

The Bill:

H. 95. To provide for a representative from Alabama on the Resources Advisory Board, Southeast River Basins; to authorize payment of a pro rata part of the expenses of the Board and to provide the necessary funds therefor, and for other related purposes.

Was read a third time at length and passed.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Evans	Mathews	Reynolds
Adams	Gilchrist	McCain	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Taylor
Cooper	James	Nichols	Tyson
Dumas	Lolley	Oden	Wilson
Eddins	Lowe		—25

Nay: Mr. Montgomery

—1

The Bill:

H. 48. To amend Section 5 of Act No. 926, approved 12 September 1951 (1951 Acts of Alabama, Act No. 926, page 1575) which Section pertains to an appropriation to make a contribution on behalf of the State of Alabama to the National Conference of Commissioners on Uniform State Laws.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Givhan	McCain	Reynolds
Allen	Hammond	McDow	Robison (Pickens)
Brannan	Horton	Metcalf	Shelton
Cooper	Lolley	Montgomery	Taylor
Eddins	Lowe	Nichols	Tyson
Evans	Mathews	Oden	Wilson
Gilchrist			—24

Nays:

—0

The Bill:

H. 403. To make an appropriation to the Office of the Attorney General for the fiscal year ending September 30, 1965.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Montgomery)
Adams	Givhan	McCain	Robison (Pickens)
Allen	Hammond	McDow	Shelton
Brannan	Hawkins	Metcalf	Smith
Cooper	James	Nichols	Tyson
Eddins	Lolley	Oden	Wilson
Evans	Lowe	Roberts	

—26

Nays:

—0

The Bill:

H. 782. To amend Section 2 of Act No. 48, H. 34, approved November 1, 1950 (Acts of Alabama, 1951, p. 102) as amended, entitled "An Act to provide old-age and survivors insurance for certain officers and employees of the State and Local governments and making appropriations therefor."

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Givhan	McCain	Robison (Montgomery)
Adams	Hammond	McDow	Robison (Pickens)
Allen	Horton	Metcalf	Shelton
Brannan	James	Montgomery	Smith
Cooper	Lolley	Nichols	Taylor
Eddins	Lowe	Oden	Tyson
Evans	Mathews	Reynolds	Wilson
Gilchrist			

—28

Nays:

—0

The Bill:

H. 140. To authorize and provide for carrying out the October 29, 1963, action of the State Board of Education to develop the Alabama State College Center at Mobile into a junior college to be operated separate and apart from the Alabama State College as soon as legislative appropriations are met for such junior colleges including said Mobile Junior College in the annual appropriation for junior colleges under the State Board of Education or by any specific appropriation made for said Mobile Junior College for the fiscal years ending September 30, 1966, and September 30, 1967, said appropriation or allocation thereof to be provided for the maintenance, operation, and administration of such college.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Givhan	McCain	Robison (Montgomery)
Adams	Hammond	McDow	Robison (Pickens)
Allen	Hawkins	Metcalf	Shelton
Brannan	Horton	Montgomery	Smith
Cooper	James	Nichols	Taylor
Dumas	Lolley	Oden	Tyson
Evans	Lowe	Reynolds	Wilson
Gilchrist	Mathews	Roberts	

—30

Nays:

—0

The Bill:

H. 391. To amend Section 11 of Act 278, of the First Extraordinary Session of 1965 (H. B. 182 First Extraordinary Session 1965), to provide for a scholarship program for medical education.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Gilchrist	Mathews	Robison (Montgomery)	
Adams	Givhan	McCain	Robison (Pickens)	
Allen	Hammond	Metcalf	Shelton	
Brannan	Hawkins	Montgomery	Smith	
Cooper	Horton	Nichols	Taylor	
Dumas	James	Oden	Tyson	
Eddins	Lolley	Reynolds	Wilson	
Evans	Lowe	Roberts		—30

Nays:

—0

The Bill:

H. 393. To amend Section 6 of Act No. 107 of the Regular Session of 1959, Acts of Alabama, 1959, Volume I, page 604.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Evans	Mathews	Reynolds	
Adams	Gilchrist	McCain	Robison (Montgomery)	
Allen	Givhan	McDow	Robison (Pickens)	
Brannan	Hawkins	Metcalf	Smith	
Cooper	Horton	Montgomery	Taylor	
Dumas	James	Nichols	Tyson	
Eddins	Lowe	Oden	Wilson	
				—27

Nays:

—0

The Bill:

H. 1141. To amend further Section 5 of Act No. 298, S. 137, Regular Session 1947, an act providing for licensing persons selling alcoholic liquors.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Evans	Lowe	Reynolds	
Adams	Gilchrist	Mathews	Robison (Montgomery)	
Allen	Givhan	McCain	Robison (Pickens)	
Brannan	Hawkins	Metcalf	Shelton	
Cooper	Horton	Montgomery	Smith	
Dumas	James	Nichols	Taylor	
Eddins	Lolley	Oden	Tyson	
				—27

Nays:

—0

The Bill:

H. 1140. To make a supplemental appropriation for the payment of salaries from the Alabama Special Educational Trust Fund.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Hammond	McCain	Roberts
Adams	Hawkins	McDow	Robison (Montgomery)
Allen	Horton	Metcalf	Robison (Pickens)
Brannan	James	Montgomery	Shelton
Carter	Lolley	Nichols	Smith
Cooper	Lowe	Oden	Taylor
Gilchrist	Mathews	Reynolds	Tyson
Givhan			

—28

Nays:

—0

The Bill:

H. 322. To amend Sections 2 and 12, Act No. 289, Regular Session 1955, to provide for a change in the standard deduction allowed individuals for income tax purposes; and to raise the maximum limit for filing of the short form.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Lowe	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Brannan	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Metcalf	Shelton
Cooper	Hornsby	Montgomery	Smith
Dumas	Horton	Nichols	Taylor
Eddins	James	Oden	Tyson

—31

Nays:

—0

The Bill:

H. 323. To amend Section 1 of Act No. 208, Regular Session 1951 (Acts 1951, p. 470) which relates to deductions to individual income taxpayers and more specifically authorizes, provides for and regulates use of an optional standard deduction in lieu of an itemization of certain specific deductions allowed by law and also the deduction of federal income taxes paid or accrued within the taxable year.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Carter	Evans	Hawkins
Adams	Cooper	Gilchrist	Hornsby
Bentley	Dumas	Givhan	Horton
Brannan	Eddins	Hammond	James

REGULAR SESSION

2085

Lolley	Metcalf	Reynolds	Shelton
Lowe	Montgomery	Roberts	Smith
McCain	Nichols	Robison (Montgomery)	Taylor
McDow	Oden	Robison (Pickens)	Tyson

—31

Nays: —0

The Bill:

H. 326. To amend Sections 1, 3, 4, 7, 10, 11, 12, 13 and 16 of Act No. 674 of the 1961 Regular Session of the Alabama Legislature, approved September 8, 1961 (Acts of Alabama 1961, Volume I, Page 925 et seq.).

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Lowe	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Brannan	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Metcalf	Shelton
Cooper	Hornsby	Montgomery	Smith
Dumas	Horton	Nichols	Taylor
Eddins	James	Oden	Tyson

—31

Nays: —0

The Bill:

H. 684. To provide for credit on the tax levied by Section 788, Title 51, Code of Alabama 1940, as amended, for sales or use taxes paid to other states, provided credit is allowed by other states for taxes paid on similar property in Alabama.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Lowe	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Brannan	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Metcalf	Shelton
Cooper	Hornsby	Montgomery	Smith
Dumas	Horton	Nichols	Taylor
Eddins	James	Oden	Tyson

—31

Nays: —0

The Bill:

H. 730. To provide for the payment of interest on refunds of sales and use tax levied under Section 2, as amended, Act 100, Second Special Session, 1959 and Section 788, Title 51, Code of Alabama 1940, as amended.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Lowe	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Brannan	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Metcalf	Shelton
Cooper	Hornsby	Montgomery	Smith
Dumas	Horton	Nichols	Taylor
Eddins	James	Oden	Tyson

—31

Nays:

—0

The Bill:

H. 1107. To amend further Code of Alabama 1940, Title 51, Section 348, which relates to the franchise tax levied on foreign corporations.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Lowe	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Brannan	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Metcalf	Shelton
Cooper	Hornsby	Montgomery	Smith
Dumas	Horton	Nichols	Taylor
Eddins	James	Oden	Tyson

—31

Nays:

—0

The Bill:

H. 594. To provide for the amendment of the Statute of Limitations set forth in Section 16 (b), Act 100, Second Special Session, Legislature 1959; to provide for the waiving of such limitation; to provide for an extension of the time within which a refund may be made; to authorize rules and regulations for the administration of this Act.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Lowe	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Brannan	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Metcalf	Shelton
Cooper	Hornsby	Montgomery	Smith
Dumas	Horton	Nichols	Taylor
Eddins	James	Oden	Tyson

—31

Nays:

—0

The Bill:

H. 929. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

was taken up.

Mr. Dumas offered the following amendment to the Bill, H. B. 929, to-wit:

Amendment to H. B. 929

Add the words "and its agencies or affiliates for which it collects donations" next after the words "Community Chest of Jefferson County" wherever they appear in the bill.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Roberts
Adams	Gilchrist	McDow	Robison (Montgomery)
Allen	Givhan	Metcalf	Robison (Pickens)
Bentley	Hammond	Montgomery	Smith
Brannan	Hawkins	Nichols	Taylor
Carter	Hornsby	Oden	Tyson
Cooper	James	Reynolds	Wilson
Dumas			—28

Nays:

—0

Mr. Robison (Montgomery) offered the following amendment to the Bill, H. B. 929, as amended, to-wit:

Amendment to H. B. 929 As Amended

Add the words "and its agencies or affiliates for which it collects donations" next after the words "Community Chest of Jefferson County" wherever they appear in the bill, and add after the words "Community Chest of Jefferson County" the words "United Appeal of Montgomery County"

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	McDow	Robison (Pickens)
Brannan	Givhan	Metcalf	Shelton
Carter	Hammond	Montgomery	Smith
Cooper	Hawkins	Nichols	Tyson
Dumas	James	Oden	—26

Nays:

—0

Mr. Tyson offered the following amendment to the Bill, H. B. 929, as amended, to-wit:

Amendment to H. B. 929, as Amended

Add the words "United Fund of Mobile County Inc." after the words "United Appeal of Montgomery County." wherever the same appears in Section 1 of the Bill.

Which was adopted.

Yeas 21; Nays 4.

Yeas:

Messrs.:	Eddins	Montgomery	Robison (Montgomery)
Adams	Evans	Nichols	Robison (Pickens)
Allen	Gilchrist	Oden	Smith
Carter	Givhan	Reynolds	Taylor
Cooper	Lolley	Roberts	Tyson
Dumas	Metcalf		
			—21

Nays:

Messrs.:	James	Lowe	Shelton
Horton			—4

And said Bill, H. B. 929, as thus amended, was then read a third time at length and passed.

Yeas 19; Nays 9.

Yeas:

Messrs.:	Dumas	Lowe	Robison (Montgomery)
Adams	Eddins	Montgomery	Smith
Allen	Evans	Nichols	Taylor
Brannan	Givhan	Oden	Tyson
Cooper	Hawkins	Reynolds	Wilson
			—19

Nays:

Messrs.:	Horton	McCain	Robison (Pickens)
Carter	James	McDow	Shelton
Gilchrist	Lolley		—9

RESOLUTIONS

Mr. Gilchrist offered the following Senate Joint Resolution, to-wit:

S. J. R. 74. WHEREAS, The Speaker of the House of Representatives, the Honorable Albert P. Brewer, has been responsible for giving leadership in the establishment of State Junior College program in Alabama; and

WHEREAS, Without his leadership the State Junior College program would not have been as fully developed as it is today;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new library building located at the Tennessee Valley Junior College, Limestone County, Alabama, be named the Albert P. Brewer Library Building in his honor.

On motion of Mr. Gilchrist, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Trustees of the University of South Alabama.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

AUGUST 26, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Board of Trustees of the University of South Alabama:

From the State at Large

Senator John Tyson, Mobile—For the term expiring September 30, 1973

Senator Roland Cooper, Camden—For the term expiring September 30, 1973

Honorable William Hulsey, Birmingham—For the term expiring September 30, 1965

First Class:

Dr. J. Mac Bell, Mobile—For the term expiring Sept. 30, 1965

Senator Neil Metcalf, Geneva—For the term expiring Sept. 30, 1965

Honorable Ernest G. Cleverdon, Mobile—For the term expiring Sept. 30, 1965

Mrs. Antionette L. Watson, Camden—For the term expiring Sept. 30, 1965

Second Class:

Honorable Aubrey Green, York—For the term expiring Sept. 30, 1969

Dr. W. F. DeShazo, Jackson—For the term expiring Sept. 30, 1969

Mrs. Earl Goodwin, Selma—For the term expiring Sept. 30, 1969

Honorable Connie Justice, Georgiana—For the term expiring Sept. 30, 1969

Honorable Grover Ray, Headland—For the term expiring Sept. 30, 1969

Third Class:

Senator Ray Lolley, Enterprise—For the term expiring Sept. 30, 1973

Senator L. W. Brannan, Jr., Foley—For the term expiring Sept. 30, 1973

Representative Mylan Engel, Mobile—For the term expiring Sept. 30, 1973

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 404. To amend Section 1 of Act No. 602, approved September 18, 1957, relating to the salary of the Attorney General.

Was read a third time at length and passed.

Yeas 27; Nays 3.

Yeas:

Messrs.:	Cooper	Horton	Reynolds
Adams	Dumas	Lolley	Roberts
Allen	Eddins	Lowe	Robison (Montgomery)
Bentley	Evans	McCain	Robison (Pickens)
Brannan	Givhan	Metcalf	Smith
Carter	Hammond	Montgomery	Taylor
Clark	Hawkins	Oden	Tyson

—27

Nays: Messrs.: James, Shelton, Wilson

—3

RESOLUTIONS

Mr. Metcalf offered the following Senate Joint Resolution, to-wit:

S. J. R. 75. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, they adjourn sine die, and

BE IT FURTHER RESOLVED That a committee of six (6) be appointed, three members of the House to be appointed by the Speaker of the House and three members of the Senate, to be appointed by the Presiding Officer of the Senate, to wait upon the Governor and inform him that the Legislature now stands ready to adjourn sine die and awaits any further message that he might desire to transmit.

On motion of Mr. Metcalf, the Rules were suspended and the Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Metcalf, Gilchrist and Robison (Montgomery).

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 76. BE IT RESOLVED BY THE SENATE That the following shall be the special, paramount and continuing order of business today

on the call of the calendar, superseding all and any prior special, paramount and continuing orders of business:

H. 702, p. 21

H. 848, p. 51

H. 109, p. 16

H. 377, p. 20

H. 892, p. 52

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 128. To create the State Employees' Insurance Board and authorize such Board to provide a health insurance plan for employees of the State of Alabama; to define the terms used in this Act; to provide for the contents of such health insurance plan and to define eligibility requirements for participation in such plan; to authorize the Board to execute contracts to provide benefits under such plan; to authorize the inclusion of retiring state employees and the dependents of state employees and retiring state employees in such plan; to provide for the payment of benefits under such plan; to provide for a State Employees' Insurance Fund and for contributions thereto; to provide for the financing of the health insurance plan; to authorize the Board to adopt and promulgate rules and regulations for the administration of such plan; to provide an effective date of this Act and repeal all laws in conflict therewith.

Also:

S. 174. To amend Section 6 of Act No. 109, H. 148, Regular Session 1961 (Acts 1961, p. 134), relating to municipal public hospital facilities; authorizing the governing body in any municipality in which such hospital is incorporated to provide for a self-perpetuating board of directors.

Also:

S. 374. To authorize the director of finance to transfer title to certain personal property of the Alabama Civil War Centennial Commission.

Also:

S. 466. To alter and rearrange the boundaries of the City of Mobile so as to reduce the corporate limits and exclude certain territory from the city.

Also:

S. 594. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having a population of not less than 96,000 nor more than 106,000.

Also:

S. 595. To apply only in Walker County: To authorize, provide for, and regulate the introduction in evidence in any court in such county, when the original thereof would be relevant and material, of certified copies of certain hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probative value of such records.

Also:

S. 596. Relating to Walker County; to provide further for probating uncontested wills in such county.

Also:

S. 598. To provide for an action of ejectment to recover possession of real property in Walker County by a purchaser of such real property at a mortgage foreclosure sale or by one claiming under such purchase, and to regulate the proceedings in such action.

Also:

S. 605. To repeal Act No. 348, H. 803, approved August 30, 1963 (Acts of Alabama 1963, vol. 2, p. 842), entitled, "An Act To prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months, and describing penalties."

Also:

S. 606. To amend Act No. 128, H. 287, Regular Session 1963, an act regulating the business of well drilling in Madison County.

Also:

S. 607. To amend Act No. 209, S. 120, Regular Session 1963, an act providing for and requiring reidentification of electors in Jackson County.

Also:

S. 608. To allow the establishment of branch banks in Jackson County.

Also:

S. 610. To alter or rearrange the boundary lines of the Town of Elkmont, Limestone County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Limestone County, Alabama.

Also:

S. 405. Relating to admissibility of evidence in civil actions in the courts of all counties having populations of not less than 65,000 nor more than 106,000, according to the most recent federal decennial census; to require persons taking or having possession of written statements with respect to accidents or injuries relative to which civil actions may be filed in the courts of such counties to furnish copies thereof to the person making such statements and prescribing the effect of failure to furnish copies in accordance with the provisions of this Act.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 9. Relating to public health; to require the testing and treatment of infants for phenylketonuria; to authorize and direct the state board of health to promulgate rules and regulations to accomplish the purpose of this Act.

Also:

S. 98. To authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars, and validating and confirming like expenditures heretofore made.

Also:

S. 114. Relating to witnesses; to provide for privileged communications between clergymen or ministers and persons seeking spiritual advice or guidance.

Also:

S. 138. To provide further for the form of government of cities having populations of not less than 200,000 nor more than 300,000, according to the most recent federal decennial census, regulating the appointment and election, compensation, powers, duties, and authority of municipal officers and employees, and authorizing abandonment of the existing form of government and adoption of a mayor-council form of government.

Also:

S. 188. To amend further Act No. 345, H. 291, Regular Session 1955, which creates domestic relations division of the circuit courts of counties having populations of not less than 225,000 nor more than 500,000 Acts 1955, v. 2, p. 783.

Also:

S. 403. Relating to counties having a population of not less than 38,000 nor more than 45,000; providing for the payment of an expense allowance to the county Solicitor in any such county.

Also:

S. 434. Proposing an amendment to the Constitution of Alabama relative to the development of one or more irrigation districts and water conservation in the State of Alabama.

Also:

S. 435. Relating to irrigation and water conservation; providing for the incorporation of an agency as a public body corporate and instrumentality of the state for the promotion and development of one or more irrigation districts in the State of Alabama; prescribing its authority, powers, duties, functions, and management, authorizing the agency to issue bonds, and the counties and municipalities within the irrigation district or districts to contribute funds and levy taxes for its use.

Also:

S. 436. To create the office of director of irrigation in the state department of conservation; providing for the qualifications, appointment, term, duties, and compensation of such director.

Also:

S. 489. To authorize county governing bodies to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Also:

S. 494. To make it unlawful for minors to attempt to purchase, to purchase, consume, possess or transport alcohol, liquor or malt or brewed beverages; to provide penalties for violations.

Also:

S. 504. Relating to all counties having populations of not less than 150,000, according to the most recent federal decennial census; further regulating the Plumbers Examining Board in establishing the competency of plumbers; and further amending Section 5, as last amended, and Section 7, as last amended, of General Act No. 529, General Laws of Alabama, approved September 2, 1949 (Acts of Alabama, 1949, p. 827, Et Seq.).

Also:

S. 527. To amend Section 2, Act No. 688, H. 336, Regular Session 1953, relating to the operation of motor vehicles and farm trailers on public highways.

Also:

S. 556. To amend further Act No. 345, H. 291, Regular Session 1955, which creates domestic relations division of the circuit courts of counties having populations of not less than 225,000 or more than 500,000 (Acts 1955, v. 2, p. 783).

Also:

S. 591. To amend Section 40 of Chapter 3, Title 50, of the Code of Alabama of 1940, relating to the general grant of power to public corporations organized under said Chapter 3 so as to permit the sale and transfer of such corporation's entire system.

Also:

S. J. R. 66. Relieving the Secretary of the Senate and the Clerk of the House of any responsibility for Codes, Acts, etc., furnished to members of the Legislature.

Also:

S. J. R. 67. Naming the Administration Building at Enterprise Junior College the George C. Wallace Hall.

Also:

S. J. R. 68. Commending Dr. Champ Lyons for his many contributions to the field of medicine.

Also:

S. J. R. 69. Naming the Administration Building at the Northeast State Junior College the George C. Wallace Building.

Also:

S. J. R. 70. Mourning the death of Mrs. Oneida Wells Hearn, wife of former representative Olin C. Hearn.

Also:

S. J. R. 71. Naming S. B. 216 "The Dumas-Pierce Bill".

Also:

S. J. R. 73. Naming the Administration Building at Southern Union College, Wadley, Alabama the George C. Wallace Building.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 540. To provide further for the selection of textbooks and instructional materials for use in the public schools in Madison County.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1061. To provide facilities for displaying certain exhibits in cooperation with the Department of The Army and the National Aeronautics and Space Administration; creating the Alabama Space Science Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1060. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding one million nine hundred thousand dollars (\$1,900,000 for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of the Army and the National Aeronautics and Space Administration.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 874. To levy a additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 179. Relative to naming the Administrative Building at the Gadsden Technical Junior College the George C. Wallace Hall.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution:

H. J. R. 174. Relative to the Administration Building of each new Junior College in the State of Alabama being named in honor of Governor George C. Wallace.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 401. To make an appropriation from the State Treasury for capital improvements.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 892. To provide for creation and establishment of a state commission on intergovernmental cooperation, providing for the appointment, qualifications and tenure of the members and officers of such commission, and making an appropriation for its use.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	McCain	Robison (Montgomery)
Adams	Evans	McDow	Robison (Pickens)
Bentley	Givhan	Metcalf	Shelton
Brannan	Hawkins	Montgomery	Smith
Carter	Hornsby	Reynolds	Tyson
Cooper	Lolley	Roberts	Wilson
Dumas	Lowe		

—25

Nays:

—0

The Bill:

H. 675. To apply in all counties having a population of 60,000 or more according to the 1960 Federal decennial census and having special courts where the probation services for juvenile delinquents is not now provided by the Department of Pensions and Security; to authorize and require the expenditure of State funds to pay part of the cost of the salaries of juvenile court probation officers in all such counties when such probation officers are certified by the State Department of Pensions and Security under standards prescribed by the State Board of Pensions and Security; to authorize the matching of State funds with county funds; and to appropriate from any funds in the State Treasury not otherwise appropriated money necessary for carrying out the purposes of this Act.

was taken up.

Mr. Robison (Montgomery) offered the following substitute for the Bill, H. B. 675, to-wit:

SUBSTITUTE FOR H. B. NO. 675

A BILL
TO BE ENTITLED
AN ACT

To apply in all counties having a population of 60,000 or more according to the 1960 Federal decennial census and having special courts where the probation services for juvenile delinquents is not now provided by the Department of Pensions and Security; to authorize and require the expenditure of State funds to pay part of the cost of the salaries of juvenile court probation officers in all such counties when such probation officers are certified by the State Department of Pensions and Security under standards prescribed by the State Board of Pensions and Security; to authorize the matching of State funds with county funds; and to appropriate from any funds in the State Treasury not otherwise appropriated money necessary for carrying out the purposes of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby authorized the payment from the State Treasury a part of the cost of the salary of certain probation officers appointed by special courts dealing with juvenile cases. These funds will be paid when request is made by the governing body of any county in Alabama having a population of 60,000 or more according to the 1960 Federal decennial census and having special courts where probation services for juvenile delinquents is not now furnished by the Department of Pensions and Security. The maximum number of such probation officers shall not exceed one for each 30,000 inhabitants or a fraction thereof. Provided, however, in the event the Governor should determine that the maximum number of probation officers as allowed by this law are not needed, then the Governor may limit such maximum number of probation officers.

Section 2. The salary of such probation officer shall be fixed by the court but in no case shall the State funds expended exceed \$3,500.00 per annum for each juvenile court probation officer, and each dollar of State funds shall be matched with one dollar of local funds. Such probation officers as are paid partially from funds in the State Treasury must be certified by the State Department of Pensions and Security under standards prescribed by the State Board of Pensions and Security.

Section 3. There is hereby appropriated from any funds in the State Treasury not otherwise appropriated such funds as may be necessary for carrying out the purposes of this Act but not to exceed \$184,000.00 per year for the fiscal years ending September 30, 1966, and September 30, 1967, for the purpose of defraying a part of the cost of the salary of such probation officers.

Section 4. All laws or parts of laws in conflict with this Act are hereby expressly repealed.

Section 5. This Act shall become effective on October 1, 1965.

Which was adopted.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	McDow	Robison (Pickens)
Brannan	Hawkins	Metcalf	Smith
Clark	Horton	Montgomery	Taylor
Cooper	Lolley	Oden	Tyson
Dumas			—28

Nays: Messrs.: James, Wilson

—2

And said Bill, H. B. 675, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Eddins	Lowe	Reynolds
Adams	Evans	Mathews	Roberts
Allen	Givhan	McCain	Robison (Montgomery)
Bentley	Hammond	Metcalf	Robison (Pickens)
Brannan	Hawkins	Montgomery	Smith
Carter	Horton	Nichols	Taylor
Clark	Lolley	Oden	Tyson
Dumas			—28

Nays: Messrs.: James, Wilson

—2

The Bill:

H. 417. To regulate the sale of pecans and other nuts sold or offered for sale for human consumption; to prohibit the sale of pecans and other nuts that are inedible or unfit for human food; to provide for the administration and enforcement of this Act and a penalty for violations thereof.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Lowe	Roberts
Allen	Givhan	Mathews	Robison (Montgomery)
Bentley	Hammond	McCain	Smith
Brannan	Hawkins	McDow	Taylor
Carter	Hornsby	Metcalf	Tyson
Cooper	Horton	Montgomery	Wilson
Dumas	James	Oden	—30

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. J. R. 172. Relative to The Tourist Cotton Patch located at the new Holiday Inn.

Also:

H. 446. To amend and revise Section 41 (d) (1), (2) and (3) of Title 36 of the 1940 Code of Alabama as amended, all of which refer to special restrictions on lamps on motor vehicles.

Also:

H. 952. To create the Shelby County Planning Commission; to provide for the organization, membership, powers, personnel, jurisdiction, and financial and legal status of such commission; to authorize the Commission to make subdivision regulations, a master plan, and to adopt zoning regulations for the development of Shelby County; to provide for an election in each beat prior to the application of such authority of the Commission in each beat; to grant the Commission power to zone certain areas within the county and provide a procedure for the amendment of zoning regulations; to prohibit zoning regulations from being retroactive; to provide remedies for the enforcement of the provisions of this act; and to provide exceptions to such zoning regulations and for appeals from the decisions of the Commission.

Also:

H. 1266. To authorize and regulate the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census. To prescribe conditions for calling of a referendum.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 935. To provide for the organization of a public corporation in the state to be known as the State Industrial Development Authority; to designate the officers and members of the board of directors of the Authority; to prescribe the powers and duties of the Authority, including the power to make certain state surveys incidental to industrial development and the power to make grants of money to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell bonds for the purpose of making said grants of money; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be issued to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies and for investment of fiduciary funds, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide

for the disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by the act adopted at the 1965 Regular Session of the Legislature of Alabama that was introduced as House Bill 874 at said session, to the extent necessary to pay the principal of and interest on bonds of the Authority, as such principal and interest mature; to authorize the Authority to pledge such funds for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds and that such bonds shall nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the dissolution of the Authority; and to repeal Act No. 242 adopted at the Extraordinary Session of the Legislature of Alabama of 1965, which convened on February 16, 1965.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 1090. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Also:

H. 1184. Relating to counties having populations of 600,000 or more, according to the most recent federal decennial census; authorizing the sale and distribution of draft beer within such counties.

Also:

H. J. R. 178. Relative to expressing regret upon the death of Mrs. Sarah Pearl Watson.

Also:

H. J. R. 173. Relative to authorizing clerical assistants for checking the Journals and other records of the House and Senate.

Also:

H. J. R. 175. Relative to naming Senate Bill 99.

Also:

H. J. R. 176. Relative to naming House Bill 144.

Also:

H. J. R. 177. Relative to designating the Mack M. Matthews School at Pinckard.

Also:

H. J. R. 180. Relative to commending Miss Cheryl Alexander upon her election as president of the Alabama Future Teachers organization.

Also:

H. J. R. 182. Relative to commending the Jaycees of Eclectic upon their Governor's Day Celebration.

Also:

H. J. R. 183. Relative to naming Senate Bill 10.

Also:

H. J. R. 184. Relative to naming Senate Bill 364.

Also:

H. J. R. 185. Relative to naming Senate Bill 365.

Also:

H. J. R. 186. Relative to expressing regret upon the death of Mr. E. A. Rainwater of Childersburg.

Also:

H. J. R. 188. Relative to naming House Bill 493.

Also:

H. J. R. 189. Relative to congratulating Mr. John Watkins.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 923. To create an inferior court for Franklin County in lieu of the county court, defining its jurisdiction, providing for its officers and prescribing their powers and duties, and abolishing the county court.

Also:

H. 1256. Relating to counties having populations of not less than 300,000 nor more than 600,000 and to counties contiguous to any county having such population; providing for the control and abatement of arthropods in such counties; creating and establishing an Arthropod Control Board for each such county, and prescribing its powers and duties; providing for the qualifications, appointment, terms, and compensation of the members of such Boards and a director thereof.

Also:

H. 983. To amend Sections 2 and 4 of Act No. 228, S266, Regular Session 1963, an act establishing the court of county commissioners of Blount County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 390. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 621. Relating to civil remedies and procedures; providing further for determination of rights and liabilities connected with or growing out of or related to a cause of action in one suit or proceeding by authorizing and regulating filing of cross-claims and providing for third party practice in civil actions at law.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Reynolds
Adams	Evans	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Montgomery)
Brannan	Hammond	McDow	Robison (Pickens)
Carter	Hawkins	Metcalf	Smith
Clark	Hornsby	Montgomery	Taylor
Dumas	James	Oden	Tyson

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 160. To amend further Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama, 1951, page 259), entitled "An Act to provide educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mathews, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 160, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 160

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama, 1951, page 529), entitled "An Act to provide educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of said Act No. 47, H. 29, approved May 24, 1951, is further amended to read as follows:

"Section 4. Every bona fide permanent resident of at least one year's residence in the State of Alabama before entrance into service or who has been a bona fide resident of the State of Alabama for at least five (5) years immediately prior to filing application for benefits under this Act, who served in the armed forces of the United States at least ninety days between January 1, 1917 and November 11, 1918, and September 16, 1940 and July 25, 1947, or was discharged or released therefrom by reason of service-connected disability after serving less than ninety days, or who served at any time subsequent to June 24, 1950 when the United States was, is or shall be engaged in hostilities with any foreign state, whether as a result of a declared war or not, and if he or she has been discharged or released from the service under conditions other than dishonorable, shall be entitled to take any extension or correspondence course from any State college or university offering same, without the payment of any fees or charge for such extension or correspondence course. The veteran taking advantage of this provision of the Act must do so within four years from passage and approval thereof, or within four years from the date of his or her discharge, which ever occurs last. Provided, however, no veterans shall be entitled to such correspondence or extension course during the time he or she is receiving educational benefits under the Servicemen's Readjustment Act of 1944, as amended, or if he or she has already received maximum benefits to which he or she was entitled under the Servicemen's Readjustment Act of 1944, as amended."

Section 2. Section 5 of said Act No. 47, H. 29, approved May 24, 1951, is further amended to read as follows:

"Section 5. Any veteran who applies for benefits under this Act must produce sufficient identification, sufficient proof of being a permanent resident of this State, of at least one year prior to his or her entrance into service, or who has been a bona fide resident of the

State of Alabama for at least five (5) years immediately prior to filing application for benefits under this Act, and must produce an honorable discharge or other proof of honorable termination of at least ninety days of service in the armed forces, or service of less than ninety days if discharged or released by reason of service-connected disability, before application for any such benefits can be approved. The wife, widow, or child who makes application for any educational benefits under this Act must produce sufficient identification that such person is the wife, widow, or child of such disabled veteran or deceased serviceman or veteran, sufficient proof that their husband, father, or mother, as the case may be, is or was a permanent resident of the State of Alabama, of at least one year's residence prior to his or her entrance into the service, and, in the case of wives, widows, and children of veterans, must produce an honorable discharge or other proof of honorable termination of service of such veterans in the armed forces, for a period of at least ninety days between the dates hereinabove mentioned, or service of less than ninety days if discharged or released by reason of service-connected disability. For the purposes of this Act it is mandatory that war time service-connected disability or death therefrom be established by the State Department of Veterans Affairs on the basis of facts provided by the United States Veterans Administration or other appropriate federal agencies."

Section 3. Section 10 of said Act No. 47, H. 29, approved May 24, 1951, is further amended to read as follows:

"Section 10. There is hereby appropriated from the Alabama Special Educational Trust Fund such an amount as may be necessary to reimburse every Alabama state institution of higher learning, college, university or Alabama state trade school or junior college, in which benefits are given to veterans, their wives, widows, or children under this Act. Such reimbursement shall be made at the end of each academic quarter or semester for all fees waived by such institution, college, university, or school under this Act, and shall be made on the basis of certified invoices submitted by such institution or school to the State Department of Veterans Affairs, and shall be supported by names of the students receiving such benefits, together with the amounts claimed for each student."

Section 4. All laws or parts of laws which conflict with this Act are hereby expressly repealed.

Section 5. This Act shall become effective October 1, 1965.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Gilchrist	Mathews	Roberts
Bentley	Givhan	McCain	Robison (Pickens)
Brannan	Hammond	McDow	Shelton
Carter	Hawkins	Metcalf	Smith
Cooper	Hornsby	Montgomery	Taylor
Dumas	Horton	Oden	Tyson
Eddins	James		

—29

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Collins (Jefferson), Albea, Avery, Bailes, Baker (Madison), Barnett, Bassett, Bethea (B), Bethea (M), Beville, Blanton, Bowers, Branyon, Brewer, Brown (Jefferson), Brown (Tuscaloosa), Burnham, Campbell (Jackson), Campbell (Tuscaloosa), Cantrell, Carr, Cates, Collins (Mobile), Cooper, Cornett, Daniel, Doggett, Dominick, Downing, Edington, Edwards (Escambia), Edwards (Lowndes), Fite, Gilmore, Glass, Goodwyn, Grouby, Hain, Hannah, Harper, Hawkins, Hester, Hogan, Ingram, Jones (Covington), Jones (Monroe), Locke, McCorquodale, McDermott, Meade, Meeks, Moore, Morrow, NeSmith, Nettles, Owen, Paulk, Pierce, Powell, Pruitt, Reynolds, Rogers, Salter, Scurlock, Slate, Snell, Stembridge, Sullivan, Thomas, Tuck, Vacca and Wood:

H. J. R. 194. WHEREAS Dr. Tinsley Harrison native of Alabama and widely acclaimed Professor of Medicine at the University of Alabama Medical College who has been the recipient of many signal honors including the Silver Medallion in 1952 and the Gold Heart Award in 1961 from the American Heart Association, which organization he served as its first president; and

WHEREAS Dr. Harrison holds membership in numerous national and international organizations of his profession, including The American Academy of Arts and Sciences and The Royal Academy of Medicine. His contributions to medical research have received international recognition, and he is the author of a standard textbook of internal medicine used throughout the world; and

WHEREAS Dr. Harrison was recently cited by this body upon the bestowal upon him of the American Medical Association's Distinguished Service Award in June, 1965, since which time Dr. Harrison has suffered a severe heart attack, and

WHEREAS it has been learned that Dr. Harrison is making a satisfactory and successful recovery from this most unfortunate illness; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body deeply regrets the illness of Dr. Harrison and extends to him its very best wishes for his early and complete recovery.

RESOLVED FURTHER that copies of this resolution be sent to Dr. Harrison and to the Vice President in Charge of Medical Affairs, University of Alabama; President, University of Alabama; President, American Medical Association; and President, Alabama Medical Association.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Rules were suspended and the Resolution, H. J. R. 194, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Powell:

H. J. R. 193. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, S. B. 9, which has passed both houses, be designated and known as "The Merrill, Carter and Cooper (Macon) Bill."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hornsby, the Rules were suspended and the Resolution, H. J. R. 193, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 585. To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Gilchrist, the Senate non-concurred in the following House amendment to the Bill, S. B. 585, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 585:

Amend Senate Bill 585 in Section 1, page 3, line 19 after the first word "intersects" by striking all of the words and figures thereafter in Section 1 and inserting in lieu thereof the following:

"the present westerly limits of the city of Decatur and thence meandering northerly and northeasterly along the present westerly city limits of the city of Decatur, Alabama to the true point of beginning."

And requested Committee on Conference, which motion was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Lolley	Reynolds
Adams	Eddins	Lowe	Roberts
Allen	Gilchrist	McCain	Shelton
Bentley	Hammond	Metcalf	Smith
Brannan	Hornsby	Nichols	Taylor
Carter	Horton	Oden	Tyson
Clark	James		

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Gilchrist, Tyson and Robison (Montgomery).

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses, on the Senate Amendment to the bill, H. 836. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON H. B. 836

We, the Committee of Conference appointed to reconcile the disagreement between the two Houses concerning the Senate's amendments to H. B. 836, have met and considered the bill as amended by the Senate and have agreed to the following report:

1. We recommend that the Senate recede from its amendments to the bill.
2. We recommend that the following substitute for the bill be adopted by both Houses, to-wit:

Substitute for H. B. 836

A BILL TO BE ENTITLED AN ACT

To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Be It Enacted by the Legislature of Alabama:

Act No. 268 (H. 93) Regular Session 1963 (Acts 1963, v. 2, p. 712), entitled "An Act To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith," is amended to read as follows:

"Section 1. Title 41, Section 152, Code of Alabama 1940, as last amended by Act No. 1034, Acts of 1961, page 1619, is further amended to read as follows:

"When not fixed by law or provided for in the pay plan of the merit system, the Governor is authorized to fix or approve salaries or compensation of officers and employees of the State of Alabama, but no salary or compensation, including those provided for in the pay plan of the merit system for unclassified positions, in the state service, shall be fixed or approved in excess of eleven thousand dollars (\$11,000) per annum, unless a different maximum is fixed by law. The State Personnel Board may provide in the pay plan for officers and employees in the classified service of the state, other than physicians employed by the State Health Department whose salaries are fixed in accordance with Section 9, Title 22 of this Code, as amended, and the Directors of Unemployment Compensation and Employment Service whose salaries are fixed by Section 25, Title 26, of this code, and are paid solely from Federal grants, and employees of the State Docks Department, a maximum salary or compensation not exceeding twelve thousand five hundred dollars (\$12,500) per annum, any law now applying to the

salary or compensation of specific officers or employees to the contrary notwithstanding; and provided further, where the salary or compensation of any officer or employee in the exempt or unclassified service is now fixed by law at a lower amount the appointing authority (as defined in the merit system law) may fix the salary or compensation at an amount not exceeding the maximum salary of officers and employees in the unclassified service. The salary or compensation of officers and employees of the State Docks Department who are in the classified service of the state shall be provided for in the pay plan of the merit system without regard to the limitations prescribed herein.

"Section 2. The following public officers in the service of the State shall each be paid a salary not to exceed \$12,000 per annum, the exact amount to be determined by the authority that appoints such officer: Director of Aeronautics; Director, Department of Archives and History; Director, Department of Labor; Director, Bureau of Publicity and Information; Director of Civil Defense; Confidential Assistant to the Governor; Member, Pardon and Parole Board.

"Section 3. The following public officers in the service of the State shall each be paid a salary not to exceed \$13,000 per annum, the exact amount to be determined by the authority that appoints such officer: State Service Commissioner; Assistant Director of Finance; Superintendent of Insurance; Director, State Personnel Board; Director, State Planning and Industrial Development Board; Press Secretary to the Governor; Assistant Chief Examiner of Public Accounts.

"Section 4. The following public officers in the service of the State shall each be paid a salary not to exceed \$14,000 per annum, the exact amount to be determined by the authority that appoints such officer: Commissioner of Pensions and Security; State Comptroller; Adjutant General; Director, Department of Conservation; Director of Public Safety; Legal Advisor to the Governor; State Geologist; Chief of the Legal Division, Department of Finance.

"Section 5. The following public officers in the service of the State shall each be paid a salary not to exceed \$15,000 per annum, the exact amount to be determined by the authority that appoints such officer: State Budget Officer; Director, Legislative Reference Service; Commissioner of Corrections; Administrator, Alabama Alcoholic Beverage Control Board; Executive Secretary to the Governor; State Toxicologist; Chief Examiner of Public Accounts; Superintendent of Banks.

"Section 6. The Director of Finance shall be paid a salary not to exceed \$18,000 per annum, the exact amount to be fixed by the Governor. The Commissioner of Revenue and the Director of State Docks shall each be paid a salary not to exceed \$17,000 per annum, the exact amount to be fixed by the Governor.

"Section 7. The salaries and compensation fixed or provided for in this Act shall be paid at the same time, in the same manner and out of the same funds from which the salaries and compensation heretofore provided by law for such officers was paid and in the amounts herein specified, or so much thereof as may be necessary to pay the salaries and compensation fixed under this Act is hereby appropriated out of such funds for such purpose.

"Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

"Section 9. All laws or parts of laws, local, special or general, in conflict with the provisions of this Act are hereby repealed.

"Section 10. The provisions of this Act shall become effective October 1, 1965; provided, that should there be a statutory or constitutional prohibition preventing any of these public officers named in this Act from receiving the prescribed compensation as of such date, the provisions of the Act shall become effective as to them immediately following the date upon which such prohibition expires."

Respectfully submitted,

Conferees on the part of the House

Sam C. Nettles, Jr.

O. J. Goodwyn

Mylan R. Engel

Conferees on the part of the Senate

Roland Cooper

V. H. Robison

The vote being: Yeas 61; Nays 8. And said bill:

H. 836. To amend Act No. 268 (H. 93), of the 1963 Regular Session, approved August 23, 1963, which relates to regulation of salaries payable to certain state officers and employees in state service.

Together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the report of the Committee on Conference appointed to reconcile the difference between the two Houses on the Senate amendment to the Bill, H. B. 836, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 7.

Yeas:

Messrs.:	Eddins	Lowe	Roberts
Adams	Evans	Mathews	Robison (Montgomery)
Allen	Gilchrist	Metcalf	Smith
Brannan	Givhan	Montgomery	Taylor
Carter	Hawkins	Oden	Tyson
Clark	Hornsby	Reynolds	Wilson
Cooper	Lolley		

—25

Nays:

Messrs.:	Dumas	James	Robison (Pickens)
Bentley	Horton	McDow	Shelton

—7

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 521. Relating to the Municipality of Hartselle, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 675. To apply in all counties having a population of 60,000 or more according to the 1960 Federal decennial census and having special courts where the probation services for juvenile delinquents is not now provided by the Department of Pensions and Security; to authorize and require the expenditure of State funds to pay part of the cost of the salaries of juvenile court probation officers in all such counties when such probation officers are certified by the State Department of Pensions and Security under standards prescribed by the State Board of Pensions and Security; to authorize the matching of State funds with county funds; and to appropriate from any funds in the State Treasury not otherwise appropriated money necessary for carrying out the purposes of this Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 65. Creating a joint interim committee on educational institutions.

JOHN W. PEMBERTON,
Clerk.

SPECIAL COMMITTEE APPOINTMENTS ANNOUNCED

Under the provisions of H. J. R. 122, the President and Presiding Officer of the Senate appointed as members on part of the Senate Messrs. Brannan, Tyson, Carter, Givhan and Lolley.

Under the provisions of S. J. R. 65, the President and Presiding Officer of the Senate appointed as members on part of the Senate Messrs. McDow, Metcalf, Cooper and Gilchrist.

Under the provisions of S. B. 90, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Nichols, Eddins and Robison (Montgomery).

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the following House Bill:

H. 929. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

and requests a Committee on Conference; and the Speaker of the House has named as a Committee on the part of the House Messrs. Nettles, Stembridge and Daniels.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Adams, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 929, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Adams, Dumas and Roberts.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 48. To amend Section 5 of Act No. 926, approved 12 September 1951 (1951 Acts of Alabama, Act No. 926, page 1575) which Section pertains to an appropriation to make a contribution on behalf of the State of Alabama to the National Conference of Commissioners on Uniform State Laws.

Also:

H. 95. To provide for a representative from Alabama on the Resources Advisory Board, Southeast River Basins; to authorize payment of a pro rata part of the expenses of the Board and to provide the necessary funds therefor, and for other related purposes.

Also:

H. 140. To authorize and provide for carrying out the October 29, 1963, action of the State Board of Education to develop the Alabama State College Center at Mobile into a junior college to be operated separately and apart from the Alabama State College as soon as legislative appropriations are met for such junior colleges including said Mobile Junior College in the annual appropriation for junior colleges under the State Board of Education or by any specific appropriation made for said Mobile Junior College for the fiscal years ending September 30, 1966, and September 30, 1967, said appropriation or allocation thereof to be provided for the maintenance, operation, and administration of such college.

Also:

H. 322. To amend Sections 2 and 12, Act No. 289, Regular Session 1955, to provide for a change in the standard deduction allowed individuals for income tax purposes; and to raise the maximum limit for filing of the short form.

Also:

H. 323. To amend Section 1 of Act No. 208, Regular Session 1951 (Acts 1951, p. 470) which relates to deductions to individual income taxpayers and more specifically authorizes, provides for and regulates use of an optional standard deduction in lieu of an itemization of certain specific deductions allowed by law and also the deduction of federal income taxes paid or accrued within the taxable year.

Also:

H. 326. To amend Sections 1, 3, 4, 7, 10, 11, 12, 13 and 16 of Act No. 674 of the 1961 Regular Session of the Alabama Legislature, approved September 8, 1961 (Acts of Alabama 1961, Volume I, page 925 et seq.).

Also:

H. 391. To amend Section 11 of Act 278, of the First Extraordinary Session of 1965 (H. B. 182 First Extraordinary Session 1965), to provide for a scholarship program for medical education.

Also:

H. 393. To amend Section 6 of Act No. 107 of the Regular Session of 1959, Acts of Alabama, 1959, Volume I, page 604.

Also:

H. 395. To make an appropriation for the support of the Council of State Governments.

Also:

H. 396. To make an appropriation for the support of the Commission on Mental Illness of the Southern Regional Education Board.

Also:

H. 397. To provide for cooperation by the State of Alabama with other Southern States in nuclear development of the South, and making an appropriation for that purpose.

Also:

H. 398. To make an appropriation to the use of Choccolocco Creek Watershed Association.

Also:

H. 403. To make an appropriation to the Office of the Attorney General for the fiscal year ending September 30, 1965.

Also:

H. 594. To provide for the amendment of the statute of limitations set forth in Section 16 (b), Act 100, Second Special Session, Legislature 1959; to provide for the waiving of such limitation; to provide for an extension of the time within which a refund may be made; to authorize rules and regulations for the administration of this Act.

Also:

H. 655. To make appropriations from the state treasury for use in administering the Appalachian Regional Development Program for Alabama.

Also:

H. 684. To provide for credit on the tax levied by Section 788, Title 51, Code of Alabama 1940, as amended, for sales or use taxes paid to other states, provided credit is allowed by other states for taxes paid on similar property in Alabama.

Also:

H. 730. To provide for the payment of interest on refunds of sales and use tax levied under Section 2, as amended, Act 100, Second Special Session, 1959 and Section 788, Title 51, Code of Alabama 1940, as amended.

Also:

H. 782. To amend Section 2 of Act No. 48, H. 34, approved November 1, 1950 (Acts of Alabama, 1951, p. 102) as amended, entitled "An Act to provide old-age and survivors insurance for certain officers and employees of the State and Local governments and making appropriations therefor."

Also:

H. 874. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the use of the proceeds.

Also:

H. 1107. To amend further Code of Alabama 1940, Title 51, Section 348, which relates to the franchise tax levied on foreign corporations.

Also:

H. 1140. To make a supplemental appropriation for the payment of salaries from the Alabama Special Educational Trust Fund.

Also:

H. 1141. To amend further Section 5 of Act No. 298, S. 137, Regular Session 1947, an act providing for licensing persons selling alcoholic liquors.

Also:

H. 330. Relating to non-resident hunting licenses; providing for new types and new charges of non-resident hunting licenses; to repeal Title 8, Sections 32 and 33, as amended, by Act No. 872, page 1369, Acts of Alabama, 1961 Regular Session of the Alabama Legislature.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate.

S. J. R. 75. Relative to adjournment of the Legislature.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Moore, Cantrell and Slate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 699. Relating to public health; providing for establishment of a state department of mental health, and to define and prescribe its functions, powers, and duties in relation to state mental health services and programs; abolishing the board of trustees of Alabama State Hospitals, the board of managers for Partlow State School and Hospital, the Commission on Alcoholism, and the divisions of Mental Health Planning and Mental Hygiene of the State Board of Health, and providing for continuance of their functions under the jurisdiction and control of the new department of mental health.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 584. To amend further Section 89 of Title 36, Code of Alabama 1940, which regulates the size and weight limits of motor vehicles and loads, so as to regulate further the length of such motor vehicles.

Was read a third time at length and passed.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Dumas	James	Reynolds
Allen	Eddins	Lolley	Robison (Montgomery)
Bentley	Evans	Lowe	Robison (Pickens)
Brannan	Givhan	McDow	Smith
Carter	Hawkins	Metcalf	Taylor
Clark	Hornsby	Montgomery	Tyson
Cooper	Horton	Oden	

—26

Nay: Mr. Shelton

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 74. Relative to naming the new library building located at the Tennessee Valley Junior College, Limestone County, Alabama, the Albert P. Brewer Library Building.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1016. Proposing an amendment to the Constitution of Alabama relative to the designation and name of the office of circuit solicitor.

Was read a third time at length as required by the Constitution and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Lolley	Roberts
Adams	Evans	Lowe	Robison (Montgomery)
Bentley	Givhan	McDow	Robison (Pickens)
Brannan	Hammond	Metcalf	Smith
Carter	Hawkins	Montgomery	Taylor
Clark	Hornsby	Oden	Tyson
Cooper	Horton	Reynolds	Wilson
Dumas	James		

—29

Nays:

—0

The Bill:

H. 984. To make an appropriation from the State General Fund for the operation and maintenance of the Helen Keller Home at Tusculumbia.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Evans	Lolley	Reynolds
Adams	Givhan	Mathews	Roberts
Allen	Hammond	McCain	Robison (Montgomery)
Bentley	Hawkins	McDow	Robison (Pickens)
Brannan	Hornsby	Metcalf	Taylor
Carter	Horton	Montgomery	Tyson
Clark	James	Oden	Wilson
Cooper			

—28

Nays:

—0

The Bill:

H. 834. To provide for appeals from judgments for contempt of court.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Hornsby	Montgomery
Adams	Eddins	James	Robison (Montgomery)
Allen	Evans	Lolley	Robison (Pickens)
Bentley	Gilchrist	Mathews	Smith
Brannan	Givhan	McCain	Taylor
Carter	Hammond	McDow	Tyson
Cooper	Hawkins	Metcalf	Wilson

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Rogers:

H. J. R. 198. Whereas, a school library in Limestone County has been named the Albert P. Brewer Library, and

Whereas, the naming of said library was most appropriate, and

Whereas, the Legislature of Alabama recognizes and accepts the principal of reciprocity, and

Whereas, the Legislature desires likewise to honor our esteemed colleague, Granville Turner, now therefore,

Be It Resolved by the House of Representatives, the Senate concurring,

That the next trade school library to be constructed in Morgan County be named the Granville Turner library in honor of our esteemed colleague from Limestone County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Horton, the Rules were suspended and the Resolution, H. J. R. 198, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

A RESOLUTION

By Mr. Goodwyn:

H. J. R. 197. WHEREAS the Senate Foreign Relations Committee has unexpectedly reported out the SOVIET CONSULAR TREATY, urging favorable and immediate ratification by the Senate, after holding it for a year, and

WHEREAS this treaty would permit the establishment of Soviet Consules throughout the United States, and

WHEREAS no public hearings were held on the Soviet Consular Treaty, and

WHEREAS passed record has shown Soviet consular establishment have been used for subversive activities throughout the world, and

WHEREAS J. Edgar Hoover has testified in the House Appropriations Committee hearings in March, 1965, "ONE SOVIET INTELLIGENCE OFFICER IN COMMENTING ON THE AGREEMENT SPOKE OF THE WONDERFUL OPPORTUNITY THIS PRESENTED HIS SERVICE AND THAT IT WOULD ENABLE THE SOVIETS TO ENHANCE THEIR INTELLIGENCE OPERATIONS",

NOW THEREFORE BE IT RESOLVED that this legislature, convened in regular session, this 26th day of August, 1965, goes on record in vehement opposition to the ratification the the SOVIET CONSULAR TREATY by the U. S. Senate.

THEREFORE BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the state legislatures of the respective states, U. S. Senators, and all news services.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Rules were suspended and the Resolution, H. J. R. 197, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Bailes:

H. J. R. 196. Resolved by the House, the Senate concurring, That the interim committee appointed to study reapportionment, as established under House Joint Resolution 6, Act No. 4, Special Session 1964, shall be continued in existence for a period not exceeding 30 days from final adjournment of this regular session of the Legislature, and may file its final report within said period with the Clerk of the House and Secretary of the Senate; whereupon, the committee shall be discharged.

Resolved further, that the committee shall be entitled to their usual legislative compensation and expenses when engaged on committee business, which shall be paid as provided in said Act No. 4 of 1964 (Acts 1964, p. 31).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 196, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate to appoint a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 585. To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

And the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. Moore, Slate and Cantrell.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE GOVERNOR

To the State Senate
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

CECIL C. JACKSON, JR..
Executive Secretary.

August 26, 1965

MESSAGE FROM THE GOVERNOR

MR. PRESIDENT, AND MEMBERS OF THE SENATE:

On this, the last legislative day of the Regular Session of the 1965 Legislature, I want to express to you my sincere appreciation for the significant accomplishments of this Session and for the splendid spirit of cooperation which has existed between the Legislative and Executive Branches of our Government.

Prior to the Regular Session, this Legislature had already earned for itself unique distinction by the manner in which you met the needs of education in Alabama. I will not dwell upon those accomplishments—but merely express my conviction that this Legislature will long be remembered with a warm feeling of gratitude by the people of this State by reason of your concern and dedicated effort on behalf of education.

There remained for you many important problems to be tackled in the Regular Session. During the long interim, from the beginning of this Session until now, some of our people may forget the long hours of study, preparation, public hearings and committee work performed by you on each of many legislative problems with which you were faced.

Without an effort to detail all of these important measures, I do think it appropriate to briefly summarize some of the fruits of your long effort.

I am particularly proud that you have seen fit to further implement our junior college and trade school program by approving a conditional appropriation of an additional Five Million Dollars. Public acceptance of

this program has exceeded our fondest hopes. Enrollment applications far exceed capacity, and we are challenged to respond further to this need. I have concurred in your amendment of this contingent appropriation providing \$450,000 for the Alabama School for Deaf and Blind at Talladega and \$100,000 for the Partlow School at Tuscaloosa.

I commend you for having enacted legislation to permit the employees of Bryce Hospital and Partlow School to participate in the benefits of the State Personnel Merit System.

For all State employees you have approved legislation providing an across the board five percent pay raise. It is a much deserved raise and necessary in order for us to retain the many splendid career personnel whose talents are of inestimable value to the State.

As for the employees of private enterprise, you have provided substantial increases in the benefits payable under the State Unemployment Compensation Act. This was long overdue and much needed.

I am particularly grateful for legislation creating a commission for the aging and a committee to employ the handicapped. This segment of our society deserves the very best which we can provide for them. I am grateful too that we were able to increase significantly our support of public health services and particularly the increase which will make it possible to do a better job for tubercular patients.

You are to be commended also for legislation providing the means for modernization of the Alabama Prison System, including the construction of new facilities for the inmates of Kilby Prison. Crime and the rehabilitation of convicted criminals must remain one of the principal concerns of society. This legislation represents an enlightened forward step.

The State of Alabama, as all states, is engaged primarily in rendering needed services to the people of the State. It is by legislation that we define the nature and the scope of the services to be rendered.

All of us would, of course, be delighted to provide infinitely more in the way of services in all areas and segments of State Government. However, we are limited by revenues. We recognize the tremendous importance of expanding the State economy to generate wages and salaries from which greater State revenues are derived.

In this connection, you have, in my judgment, shown great wisdom in the approval of an additional \$25,000,000 bond issue for highway construction. As you know this bond issue will bring in a total of \$181,000,000 when matched with federal funds. There are few state services which contribute more toward attracting new industry and more to encourage expansion of existing industry than does a modern network of highway, rail and water transportation.

In this connection, it is my judgment that one of the most significant acts of this Legislature from the standpoint of the future development of the economic potential of this State is the Act providing for the organization of the State Industrial Development Authority. This Authority is empowered to determine the location of industrial sites, the availability of labor, the preparation of sites and to assist in financing the preparation of such sites to meet the physical requirements of a particular industry.

This Act authorizes the issuance of bonds in an amount not to exceed \$2,600,000. It is our judgment that this investment will be returned many times over in the future in the way of ad valorem taxes, pay rolls and expanded economy.

Another progressive step in the direction of attracting new industry has been that of the enactment of legislation up-dating our water pollution laws. As is so often the case, the legislation enacted represents a compromise, but I feel confident that the public interest is better served and that many of the problems arising from the pollution of our streams in the area of industrial waste, in the area of public health, and in the area of recreation, will be solved by virtue of this legislation.

Another item of great pride to me has been the manner in which you have faced up to problems of immediate concern which affect the general welfare. I have reference to problems which arise when reforms of local democratic institutions are initiated by the federal judiciary, and by federal legislation. Both approaches to the solution of problems based on massive coercion are foreign to the tradition of this nation. In days past they would have been undreamed of. Today we shall continue to resist what we consider to be unconstitutional usurpations of power by any branch of the federal government. Such resistance is a part of the American tradition.

In connection with these problems, we commend your enactment of the tuition grant statute. It is designed not with any idea that it could be used to circumvent federal court decrees or to avoid the effects of federal legislation and federal control of our public school system. This legislation was designed purely and simply to implement a choice between educational opportunities already available.

Under the Pupil Placement Act of 1955, a parent may choose to send his child to the school within the child's compulsory attendance district, or a parent may choose to apply for a transfer to another public school outside of that attendance district, or the parent may choose in the case of a refusal to grant a transfer to attend a private school. These three choices were available in the 1955 Act. The tuition grant statute simply amends the existing law to fix a sum available to those who choose private school education and to authorize the State Board of Education to prescribe rules and regulations.

I commend you also for recognizing the need and necessity for the Governor to be authorized to exercise the broadest possible discretion in meeting threats to the peace and tranquility and in maintaining law and order in the State. Your request that I call upon the federal government to provide the personnel and to defray the expenses of maintaining and protecting life and property of our citizens in the face of impending riot or insurrection is much appreciated.

It is no secret that I consider federal legislation and judicial policies largely responsible for promoting acceptance of the idea that freedom of speech and the right of assembly includes the right to violate laws and receive police protection in the process of creating anarchy and chaos.

There is yet another problem of immediate concern which I am hopeful that you will yet resolve before you conclude this Session. I refer to the matter of reapportionment. I am still hopeful and there are encouraging signs to indicate that 34 states will petition Congress to call a constitutional convention to consider the problem of reapportionment. With the certainty that 34 states will so act, it is equally certain that Congress will submit a proposed constitutional amendment to the states rather than to call a convention. In the meantime, this Legislature can devise a plan for apportionment which can meet federal judicial standards and at the same time provide an infinitely preferable alternative to anything we can reasonably expect from an apportionment devised by a federal district court.

In conclusion, let me say that I have not undertaken an exhaustive review of your legislative accomplishments. I have mentioned only some of the major highlights—enough perhaps to convince you of my utmost sincerity when I commend you for a job well done.

Again, let me say that my association with the members of this body has been most pleasant and constructive. Your cooperation in our legislative program has been deeply appreciated. I shall continue to solicit your counsel and prayers. Our efforts are on behalf of all the people of Alabama, black and white, and our fight has been in the interest of all of our people and in the preservation of our God-given liberties and freedoms of us all. With God's help, we shall win this fight.

Thank you.

GEORGE C. WALLACE
Governor

August 26, 1965.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read an ordered spread upon the Journal. •

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 134. Setting aside the month of February as American History Month.

On motion of Mr. McCain, said Resolution was then concurred in and adopted by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from His Excellency, the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Honorable Walter C. Etheridge and Honorable Thurman Lee to the Civil Service Board of the City of Tuscaloosa.

On motion of Mr. McCain, the appointment of Honorable Thurman Lee was confirmed by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from His Excellency, the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Appointments of Honorable Dwight Dollar and Honorable Charles M. Nelson as members of the Civil Service Board of Tuscaloosa County.

On motion of Mr. McCain, the appointment of Honorable Dwight Dollar was confirmed by the Senate.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of members of the Board of Trustees of the University of South Alabama.

On motion of Mr. Clark, the appointments of the various members of the Board of Trustees of the University of South Alabama, which said appointments are set out in the above-mentioned Message from the Governor, were confirmed by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 160. To amend further Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama, 1951, page 259), entitled "An Act to provide educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans."

Also:

S. 521. Relating to the Municipality of Hartselle, in Morgan County, Alabama: To alter, re-arrange and extend the boundaries and corporate limits of the Town of Hartselle, Alabama.

Also:

S. J. R. 65. Establishing a joint interim committee to study co-ordination of programs of institutions of higher learning.

Also:

S. J. R. 74 Naming the new library building located at the Tennessee Valley Junior College the Albert P. Brewer Library Building.

Also:

S. J. R. 75. Relative to sine die adjournment.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are sent out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Alabama State Hospitals and the Board of Managers of the Partlow State School and Hospital.

Respectfully submitted,

CECIL C. JACKSON, JR.,
Executive Secretary.

August 19, 1965

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am herewith submitting to you a list of trustees of the Alabama State Hospitals and member of the Board of Managers of the Partlow State School for Hospitals, which were elected prior to the 1963 Regular Session of the Legislature, and have not been confirmed by this Body, as follows:

Dr. John A. Martin, Montgomery, elected October 26, 1962, for a term of seven (7) years, beginning January 1, 1963, to succeed himself as a member of the Board of Trustees of the Alabama State Hospitals.

Mrs. Henry C. Snellgrove, Gadsden, elected October 27, 1962, for a term of seven (7) years, beginning January 1, 1963, to succeed herself as a member of the Board of Managers of the Partlow State School and Hospital.

These appointments have been transmitted to me by Dr. J. S. Tarwater, Superintendent of the Alabama State Hospitals.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Hawkins, the Rules were suspended and the appointment of Dr. John A. Martin to the Board of Trustees of the Alabama State Hospital, and the appointment of Mrs. Henry C. Snellgrove to the Board of Managers of the Partlow State School and Hospital, which said appointments are set out in the foregoing Message from His Excellency, the Governor, were confirmed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to the provisions set out in the House Joint Resolution 122, the Speaker of the House has named as a Committee on the part of the House Messrs. Engel, Hogan, Rogers, Downing, Owen, Branyon, Nettles, Daniel, Edwards (Escambia) and Brown (Jefferson).

JOHN W. PEMBERTON,
Clerk.

CONFERENCE COMMITTEE DISCHARGED

Mr. Gilchrist announced that the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 585. To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

was unable to reach an agreement, and moved that said Committee on Conference be discharged, which motion was adopted, and said Conference Committee was discharged by the Senate.

Mr. Gilchrist further moved that a new Committee on Conference be appointed, which motion was adopted, and the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Gilchrist, Tyson and Robison (Montgomery).

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate Amendment to the bill, H. 929. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON H. B. 929

We, the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the Senate's amendments to H. B. 929 have met, considered the bill as amended, and have agreed to the following report:

1. We recommend that the Senate recede from its amendments to the bill.

2. We recommend that the bill as passed by the House be passed by both houses.

Respectfully submitted,

BOB STEMBRIDGE

SAM C. NETTLES, JR.

W. B. DANIELS

Conferees on the part of the House

CHARLES H. ADAMS

ROSCOE ROBERTS, JR.

LAWRENCE DUMAS

Conferees on the part of the Senate

The vote being: Yeas 53; Nay 1.

And said bill:

H. 929. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

together with the Report of the Committee on Conference is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Adams, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement between the two Houses on the Senate amendment to the Bill, H. B. 929, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Hawkins	McDow
Adams	Dumas	Hornsby	Oden
Allen	Eddins	Horton	Roberts
Bentley	Evans	James	Robison (Pickens)
Brannan	Gilchrist	Lolley	Tyson
Carter	Givhan	Lowe	Wilson
Clark	Hammond		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has acceded to the request of the Senate to discharge the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 585. To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

And the House has further acceded to the request of the Senate to appoint a new Committee on Conference; and the Speaker of the House has appointed as Conferees on the part of the House Messrs. Cornett, Casey and Turner (Limestone).

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Etheredge, Rast, Brown (Jefferson), Gilmore, Bailes, Sessions, Vacca and Bowers:

H. J. R. 155. WHEREAS, Jefferson County has the largest population in the State of Alabama and said population has been increasing rapidly over the past several decades, and

WHEREAS, there has been no recent study of the tax bases from which the local governments receive their support, and

WHEREAS, there may be a need to strengthen the ad valorem tax structure, and to achieve tax equalization, and

WHEREAS, there has been some public discussion of the tax equalization program, and

WHEREAS, it may be desirable to avoid duplication of effort and record keeping in the assessment and collection of taxes in the County, and

WHEREAS, a number of these local governments have stated that the present tax bases are inadequate for their financial needs.

NOW THEREFORE BE IT RESOLVED by Both Houses of the Legislature of Alabama that a Committee of citizens and officials be appointed to study the needs of the local governments in Jefferson County and to study the present taxes provided for by the Statutes of Alabama and applicable to said County and the method of assessment and collection of said taxes and to report at the next Regular Session of the Alabama Legislature to be held in 1967 the results of their investigations and studies. The Committee shall be known as the Jefferson County Tax Commission. There is hereby appointed to said Committee the President of the Jefferson County Commission, the Mayor of the City of Birmingham, the Mayor of the City of Bessemer, the Senator presently representing Jefferson County and two members of the House Delegation presently representing Jefferson County to be elected by the said House Delegation. These six members shall meet as soon as possible after the adjournment of the present Regular Session of the Alabama Legislature and that they shall elect five additional members to said Committee. These five members shall be representative of industry, labor, finance, education and the public. The Committee shall elect one of its members to serve as Chairman and one of its members to serve as Secretary. The Committee shall name sub-committees where advisable and may name other persons to serve on said sub-committees. The Commission is hereby empowered and authorized to investigate and study all of the tax records of the various offices in the county and in the municipalities located in the county. The Commission is to determine if there is any duplication of offices and office holders and record keeping in the assessment, collection and disbursement of taxes and to make recommendations and to propose legislation regarding consolidation of offices and records where indicated. The Commission is to make a study of all taxes and to make recommendations concerning the elimination or consolidation of taxes and to make specific proposals for additional revenues where indicated. The governing bodies of the County and the City of Birmingham and Bessemer are authorized and directed to furnish secretarial and research assistance, accounting service and legal assistance to this Committee and are authorized to make reasonable expenditures for these purposes. The Committee at its option may hold public hearings and suitable facilities will be provided by the governing bodies if any public hearings are to be held. All public officials and citizens of Jefferson County are urged and encouraged to cooperate with this Committee in a community effort to understand the problems of local government and to make provisions for the solving of these problems by consolidation of services, elimination of waste, and providing the greatest benefit for each tax dollar.

The Commission is hereby directed to make a written report to the Legislature on or before the first legislative day of the next Regular Session of the Alabama Legislature to be held in 1967 concerning its findings, recommendations and proposed legislation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 155, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON CONFERENCE

We, your Committee on Conference, appointed to reconcile the differences between the two Houses on the House amendment to the bill, S. B. 585, beg leave to report that the Conference Committee recommends that the House recede from its amendment and that the bill be passed as passed by the Senate.

Conferees on part of the Senate

BOB GILCHRIST

JOHN TYSON

V. H. ROBISON

Conferees on part of the House

JOHN S. CASEY

HOMER CORNETT

G. N. TURNER (Limestone)

CONFERENCE REPORT

On motion of Mr. Gilchrist, the Senate concurred in and adopted the foregoing report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 585. To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilchrist	Lowe	Roberts
Adams	Hammond	McCain	Robison (Montgomery)
Allen	Hawkins	McDow	Shelton
Brannan	Hornsby	Metcalf	Taylor
Carter	Horton	Oden	Tyson
Clark	James	Reynolds	Wilson
Dumas	Lolley		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 390. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had

been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 174. Relative to designating the "James B. Allen Administration Building" at Gadsden Technical Junior College.

Also:

H. J. R. 179. Relative to designating "George C. Wallace Hall" at Gadsden Technical Junior College.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 585.

The vote being: Yeas 37; Nays 5. And said bill:

S. 585. To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

together with the Report of the Committee on Conference is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 621. Relating to civil remedies and procedures; providing further for determination of rights and liabilities connected with or growing out of or related to a cause of action in one suit or proceeding by authorizing and regulating filing of cross-claims and providing for third party practice in civil actions at law.

Also:

H. 401. To make an appropriation from the State Treasury for capital improvements.

Also:

H. 404. To amend Section 1 of Act No. 602, approved September 18, 1957, relating to the salary of the Attorney General.

Also:

H. 417. To regulate the sale of pecans and other nuts sold or offered for sale for human consumption; to prohibit the sale of pecans and other nuts that are inedible or unfit for human food; to provide for the administration and enforcement of this Act and a penalty for violations thereof.

Also:

H. 584. To amend further Section 89 of Title 36, Code of Alabama 1940, which regulates the size and weight limits of motor vehicles and loads, so as to regulate further the length of such motor vehicles.

Also:

H. 675. To apply in all counties having a population of 60,000 or more according to the 1960 Federal decennial census and having special courts where the probation services for juvenile delinquents is not now provided by the Department of Pensions and Security; to authorize and require the expenditure of State funds to pay part of the cost of the salaries of juvenile court probation officers in all such counties when such probation officers are certified by the State Department of Pensions and Security under standards prescribed by the State Board of Pensions and Security; to authorize the matching of State funds with county funds; and to appropriate from any funds in the State Treasury not otherwise appropriated money necessary for carrying out the purposes of this Act.

Also:

H. 699. Relating to public health; providing for establishment of a state department of mental health, and to define and prescribe its functions, powers, and duties in relation to state mental health services and programs; abolishing the board of trustees of Alabama State Hospitals, the board of managers for Partlow State School and Hospital, the Commission on Alcoholism, and the divisions of Mental Health Planning and Mental Hygiene of the State Board of Health, and providing for continuance of their functions under the jurisdiction and control of the new department of mental health.

Also:

H. 892. To provide for creation and establishment of a state commission on intergovernmental cooperation, providing for the appointment, qualifications and tenure of the members and officers of such commission, and making an appropriation for its use.

Also:

H. 836. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Also:

H. 984. To make an appropriation from the State General Fund for the operation and maintenance of the Helen Keller Home at Tusculumbia.

Also:

H. 1016. Proposing an amendment to the Constitution of Alabama relative to the designation and name of the office of circuit solicitor.

Also:

H. 1060. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding one million nine hundred thousand dollars (\$1,900,000) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of The Army and the National Aeronautics and Space Administration.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 585. To alter, rearrange, redefine and extend the boundaries of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality all of the territory described therein.

CHARLES A. MONTGOMERY,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 834. To provide for appeals from judgments for contempt of court.

Also:

H. J. R. 193. Relative to naming Senate Bill 9.

Also:

H. J. R. 194. Relative to expressing regret upon the illness of Dr. Tinsley Harrison.

Also:

H. 1061. To provide facilities for displaying certain exhibits in cooperation with the Department of The Army and the National Aeronautics and Space Administration; creating the Alabama Space Science Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Also:

H. 929. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Also:

H. J. R. 134. Relating to designating the month of February as American History Month.

Also:

H. J. R. 198. Relative to designating the Granville Turner Library in Morgan County.

Also:

H. J. R. 197. Relative to opposing the ratification of the SOVIET CONSULAR TREATY by the U. S. Senate.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 35 Delivered to the Governor August 26, 1965, at 1:45 P. M.

S. B. 104 Delivered to the Governor August 26, 1965, at 1:45 P. M.

- S. B. 106 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 107 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 108 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 121 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 242 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 253 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 279 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 316 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 317 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 391 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 429 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 277 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 278 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 291 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 467 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 10 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 36 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 49 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 50 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 51 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 61 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 99 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 120 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 365 Delivered to the Secretary of State August 26, 1965, at 1:50 P. M.
S. B. 459 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 507 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 572 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 578 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 64 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 65 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 66 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 210 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 355 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 364 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 394 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 395 Delivered to the Governor August 26, 1965, at 1:45 P. M.

- S. B. 512 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 216 Delivered to the Governor August 26, 1965, at 1:45 P. M.
S. B. 594 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 128 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 174 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 374 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 466 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 595 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 596 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 598 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 605 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 606 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 607 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 608 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 610 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 405 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 9 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 98 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 114 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 138 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 188 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 403 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 434 Delivered to the Secretary of State August 26, 1965, at 10:30 P. M.
S. B. 435 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 436 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 489 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 494 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 504 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 527 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 556 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 591 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. J. R. 66 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. J. R. 67 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. J. R. 68 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. J. R. 69 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. J. R. 70 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. J. R. 71 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. J. R. 73 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 540 Delivered to the Governor August 26, 1965, at 10:25 P. M.
S. B. 160 Delivered to the Governor August 26, 1965, at 11:50 P. M.

S. B. 521 Delivered to the Governor August 26, 1965, at 11:50 P. M.
S. J. R. 65 Delivered to the Governor August 26, 1965, at 11:50 P. M.
S. J. R. 75 Delivered to the Governor August 26, 1965, at 11:50 P. M.
S. J. R. 74 Delivered to the Governor August 26, 1965, at 11:50 P. M.
S. B. 585 Delivered to the Governor August 26, 1965, at 11:50 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to provisions set out in Senate Joint Resolution No. 65, the Speaker of the House has appointed as a Committee on the part of the House:

Representative Eddie Hubert Gilmore
Representative O. J. (Joe) Goodwyn
Representative Foster (Buck) Etheredge
Representative Wiley Salter
Representative Pete Turnham

JOHN W. PEMBERTON,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journals of the Senate for the Thirty-Fifth and Thirty-Sixth Legislative Days and finds same correct and containing all original entries and references thereto required by the Constitution.

WILLIAM C. McCAIN,

COMMITTEE REPORT

On motion of Mr. McCain, the foregoing report was concurred in and the Journals of the Senate for the Thirty-Fifth and Thirty-Sixth Legislative Days were approved by the Senate.

ADJOURNMENT

At 12 o'clock Midnight, on motion of Mr. Carter, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned sine die.

JAMES B. ALLEN
President and Presiding Officer
of the Senate

ATTEST:

McDOWELL LEE
Secretary of Senate.

ROSTER OF THE SENATE OF ALABAMA

REGULAR SESSION 1965

James B. Allen, <i>Lieutenant Governor</i>	Gadsden
George Hawkins, <i>President Pro-Tem</i>	Gadsden
McDowell Lee, <i>Secretary</i>	Montgomery
Mrs. F. B. Ruffer, <i>Assistant Secretary</i>	Montgomery
First Senatorial District—Lauderdale and Limestone Counties.	
James E. (Ed) Horton, Jr.	Route 1, Madison
Second Senatorial District—Lawrence and Morgan Counties.	
Bob Gilchrist.....	P. O. Box 312, Decatur
Third Senatorial District—Cullman and Winston Counties.	
Harlan G. (Mutt) Allen.....	P. O. Box No. 28, Cullman
Fourth Senatorial District—Madison County.	
Roscoe O. Roberts, Jr.	P. O. Box 829, Huntsville
Fifth Senatorial District—Jackson and Marshall Counties.	
Clayton Carter.....	Box 306, Guntersville
Sixth Senatorial District—Etowah County.	
George Hawkins.....	930 Forrest Ave., Gadsden
Seventh Senatorial District—Calhoun County.	
A. C. Shelton.....	Jacksonville
Eighth Senatorial District—Talladega County.	
Bill Nichols.....	Box 354, Sylacauga
Ninth Senatorial District—Chambers and Randolph Counties.	
Julian Lowe.....	P. O. Box 592, Roanoke
Tenth Senatorial District—Elmore and Tallapoosa Counties.	
Ernest C. (Sonny) Hornsby.....	City Hall, Carrville
Eleventh Senatorial District—Tuscaloosa County.	
Wm. C. (Bill) McCain.....	705 First National Bldg., Tuscaloosa
Twelfth Senatorial District—Fayette and Walker Counties.	
Robert T. (Bob) Wilson.....	Box 1090, Jasper

ROSTER OF THE SENATE OF ALABAMA—Continued

Thirteenth Senatorial District—Jefferson County.

Lawrence (Larry) Dumas.....1414 Brown Marx Bldg., B'ham

Fourteenth Senatorial District—Lamar and Pickens Counties.

B. G. (Gaillard) Robison, Jr.....Carrollton

Fifteenth Senatorial District—Autauga, Chilton and
Shelby Counties.

J. T. (Jimmy) McDow.....Columbiana

Sixteenth Senatorial District—Monroe and Wilcox Counties.

Roland Cooper.....Camden

Seventeenth Senatorial District—Butler, Conecuh and
Covington Counties.

H. B. Taylor.....Box 278, Georgiana

Eighteenth Senatorial District—Bibb and Perry Counties.

H. P. James.....Brent

Nineteenth Senatorial District—Choctaw, Clarke and
Washington Counties.

Albert H. Evans, Jr.....Butler

Twentieth Senatorial District—Marengo and Sumter Counties.

E. O. Eddins.....Demopolis

Twenty-first Senatorial District—Baldwin and Escambia
Counties.

L. W. Brannan, Jr.....Foley

Twenty-second Senatorial District—Blount and St. Clair Counties.

L. D. Bentley, Jr.....P. O. Box 481, Oneonta

Twenty-third Senatorial District—Dale and Geneva Counties.

Neil Metcalf.....P. O. Box 175, Geneva

Twenty-fourth Senatorial District—Barbour and Pike Counties.

James S. (Jimmy) Clark.....Eufaula

ROSTER OF THE SENATE OF ALABAMA—Continued

Twenty-fifth Senatorial District—Coffee and Crenshaw Counties.

W. Ray Lolley.....121 Main Street, Enterprise

Twenty-sixth Senatorial District—Bullock and Macon Counties.

Ed Reynolds.....Notasulga

Twenty-seventh Senatorial District—Lee and Russell Counties.

Joseph W. Smith.....Box 519, Phenix City

Twenty-eighth Senatorial District—Montgomery County.

Vaughan Hill Robison.....P. O. Box 901 or 36 So. Perry
St., Montgomery

Twenty-ninth Senatorial District—Cherokee and DeKalb
Counties.

Kenneth Hammond.....P. O. Box 92, Valley Head

Thirtieth Senatorial District—Dallas and Lowndes Counties.

Walter C. Givhan.....Safford

Thirty-first Senatorial District—Colbert, Franklin and
Marion Counties.

W. E. Oden.....402 High St. N. W., Russellville

Thirty-second Senatorial District—Greene and Hale Counties.

Charles A. Montgomery.....West Greene

Thirty-third Senatorial District—Mobile County.

John M. Tyson—704 Annex First National Bank Bldg., Mobile

Thirty-fourth Senatorial District—Clay, Cleburne and
Coosa Counties.

Charles (Pete) Mathews.....Ashland

Thirty-fifth Senatorial District—Henry and Houston Counties.

Charles H. (Charlie) Adams.....Box 975, Dothan

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

REGULAR SESSION 1965

OFFICERS

Albert P. Brewer, <i>Speaker</i>	Decatur
Rankin Fite, <i>Speaker Pro-Tem</i>	Hamilton
John W. Pemberton, <i>Clerk</i>	Montgomery
Dorothy K. Golab, <i>Assistant Clerk</i>	Montgomery
Richard C. Belser, <i>Reading Clerk</i>	Montgomery

MEMBERS OF THE HOUSE

Autauga—E. A. (Bud) Grouby.....	Prattville
Baldwin—L. D. (Dick) Owen, Jr.	Box 45, Bay Minette
Barbour—Sim A. Thomas.....	Eufaula
Bibb—Fred H. Davis.....	Brent
Blount—Carl D. NeSmith.....	Box 561, Oneonta
Bullock—James L. Paulk.....	Route 3, Box 198A, Union Springs
Butler—F. LaMont Glass.....	Greenville
Calhoun—Place No. 1—Woodrow Albea.....	Anniston
Place No. 2—Hugh D. Merrill.....	Box 1486, Anniston
Place No. 3—H. R. (Pat) Burnham.....	Box 1618, Anniston
Chambers—Charles Snell.....	Fairfax
Cherokee—Ralph A. Meade.....	Cedar Bluff
Chilton—H. Grady Heflin.....	Box 1057, Clanton
Choctaw—Roswell Doggett.....	Butler
Clarke—Joe C. McCorquodale, Jr.....	Box 535, Jackson
Clay—Kenneth F. Ingram.....	Ashland
Cleburne—John S. Casey.....	Box 266, Heflin
Coffee—Drexel Cook.....	Pinedale Drive, Elba
Colbert—Berry Lynchmore Cantrell.....	1820 Federal Dr., Montgomery
Conecuh—Wiley Salter.....	Evergreen
Coosa—Robert J. Teel.....	Rockford

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Covington—Fletcher Jones.....	Box 928, Andalusia
Crenshaw—Alton Turner.....	Box 207, Luverne
Cullman—Tom Drake.....	Box 46, Cullman
Dale—Henry B. Steagall, II.....	P. O. Box 280, 35 South Court Square, Ozark
Dallas—Place No. 1—John H. Blanton.....	114 Lauderdale Dr., Selma
Place No. 2—B. V. Hain.....	Box 155, Selma
DeKalb—R. Excell Baker.....	Box 64, Crossville
Elmore—Freddie Powell.....	Box 1, Kent
Escambia—Malcolm Edwards.....	East Brewton
Etowah—Place No. 1—Ollie W. Nabors.....	Box 846, Gadsden
Place No. 2—Gary F. Burns.....	1000 Forest Ave., Gadsden
Place No. 3—W. E. (Bill) Owens, Jr.....	1243 Sangster Rd., Gadsden
Fayette—James A. (Jimmy) Branyon.....	Box 600, Fayette
Franklin—Walston Hester.....	Box 71, Russellville
Geneva—Roland R. Faulk.....	P. O. Box 68, Samson
Greene—Edwin A. Tuck.....	105 Boligee St., Eutaw
Hale—Richard M. Avery.....	Greensboro
Henry—J. F. (Buddy) Crawford.....	Abbeville
Houston—R. J. (Bob) Stenbridge.....	Box 712, Dothan
Jackson—Loy Campbell.....	Box 241, Scottsboro
Jefferson—	
George Lewis Bailes, Jr.....	3813 Dunbarton Dr., Birmingham
Barron Bethea.....	Box 2202, Birmingham
Malcolm Bethea.....	1606 Wellington Road, Homewood
Quinton R. Bowers.....	215 Frank Nelson Bldg., Birmingham
Norman K. "Tiger" Brown.....	950 Monterey Dr., Bessemer
Donald L. Collins.....	1212 Bank For Savings Bldg., Birmingham
Richard Dominick.....	927 Brown-Marx Bldg., Birmingham
Foster Buck Etheredge.....	805 First National Bldg., Birmingham
Eddie Hubert Gilmore.....	Box 546, Bessemer
John H. Hawkins.....	1841 Montclair Drive, Birmingham

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Hugh A. Locke, Jr.	952 Conroy Road, Birmingham
J. Paul Meeks, Jr.	333 Bank For Savings Bldg., Birmingham
Hugh Morrow, III	214 Woodward Bldg., Birmingham
Walter Emmett Perry, Jr.	903 Frank Nelson Bldg., Birmingham
Holt Rast	Box 1491, Birmingham
Tram Sessions	Box 2612, Birmingham
Paschal P. "Pat" Vacca	727-728 Frank Nelson Bldg., Birmingham
Lamar—Jack Hankins	Vernon
Lauderdale—Place No. 1—Chester Boston	P. O. Box 935, Florence
Place No. 2—W. C. (Buddy) Hannah	Box 220, Rogersville
Lawrence—Edsel F. Moore	Box 31, Moulton
Lee—Pete B. Turnham	606 Moore Mill Road, Auburn
Limestone—Granville Turner	Route 2, Toney
Lowndes—William Edwards	Fort Deposit
Macon—Andrew J. Cooper	Box 457, Tuskegee
Madison—Place No. 1—N. L. (Luke) Reynolds	1315 Sierra Blvd., Huntsville
Place No. 2—James W. Baker	205 Uptown Bldg., Huntsville
Place No. 3—Harry L. Pennington	809 Shorey Dr., S. W., Huntsville
Marengo—V. Buren Daniel	Nanafalia
Marion—Rankin Fite	Box 157, Hamilton
Marshall—Aubrey J. Carr	Guntersville
Mobile—Place No. 1—Wm. H. McDermott	Box 1374, Mobile
Place No. 2—Mylan R. Engel	Box 1045, Mobile
Place No. 3—C. M. A. Rogers, III	Box 1070, Mobile
Place No. 4—Clara Stone Collins	1950 Hunter Ave., Mobile
Place No. 5—Robert S. Edington	Box 388, Mobile
Place No. 6—Coy Smith	Citronelle
Place No. 7—Elwood L. Hogan	P. O. Box 1049, Mobile
Place No. 8—Maurice A. "Casey" Downing	318 Annex First Natl. Bank Bldg., Mobile

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Monroe—Ralph L. Jones.....	Monroeville
Montgomery—Place No. 1—Alfred W. Goldthwaite.....	P. O. Box 801, Montgomery
Place No. 2—O. J. (Joe) Goodwyn.....	325 Bell Bldg., Montgomery
Place No. 3—Tandy D. Little, Jr.....	1829 Robison Hill Road, Montgomery
Place No. 4—J. J. (Junie) Pierce.....	2448 Carter Hill Road, Montgomery
Morgan—Place No. 1—Albert P. Brewer.....	Box 975, Decatur
Place No. 2—Ralph E. Slate.....	Box 1344, Decatur
Perry—Roy A. Barnett.....	Marion
Pickens—Ulie B. Sullivan.....	Reform
Pike—L. Gardner Bassett.....	Troy
Randolph—Gus W. Young.....	Graham
Russell—Homer Cornett.....	Box 88, Phenix City
St. Clair—Edwin Holladay.....	Pell City
Shelby—John Lewis Cates.....	Columbiana
Sumter—Ira D. Pruitt.....	Livingston
Talladega—Place No. 1—Lyndol Bolton.....	Ogletree Bldg., Sylacauga
Place No. 2—Ashley L. Camp, Jr.....	305 E. North Street, Talladega
Tallapoosa—Owen Harper.....	East Tallassee
Tuscaloosa—Place No. 1—A. K. (Temo) Callahan.....	913 First National Bank Bldg., Tuscaloosa
Place No. 2—William D. Campbell, Jr.....	Tuscaloosa
Place No. 3—Ralph D. Brown.....	2210 10th Ave., Tuscaloosa
Walker—Place No. 1—Louie M. Scurlock.....	Gen. Del., Sumiton
Place No. 2—Tom Bevill.....	Box 1091, Jasper
Washington—J. Emmett Wood.....	Millry
Wilcox—Sam C. Nettles, Jr.....	Selma
Winston—John A. Posey, Jr.....	Haleyville

LEGISLATIVE DAYS
REGULAR SESSION 1965

<i>Legislative Days—Calendar Days</i>	<i>Page</i>
FIRST DAY—Tuesday May 4, 1965.....	3
SECOND DAY—Wednesday, May 5, 1965.....	33
THIRD DAY—Thursday, May 6, 1965.....	38
FOURTH DAY—Friday, May 7, 1965.....	44
FIFTH DAY—Tuesday, May 11, 1965.....	49
SIXTH DAY—Wednesday, May 12, 1965.....	53
SEVENTH DAY—Friday, May 14, 1965.....	59
EIGHTH DAY—Tuesday, May 18, 1965.....	64
NINTH DAY—Friday, May 21, 1965.....	74
TENTH DAY—Tuesday, May 25, 1965.....	130
ELEVENTH DAY—Friday, May 28, 1965.....	157
TWELFTH DAY—Tuesday, June 1, 1965.....	204
THIRTEENTH DAY—Friday, June 4, 1965.....	216
FOURTEENTH DAY—Wednesday, June 9, 1965.....	249
FIFTEENTH DAY—Friday, June 11, 1965.....	258
SIXTEENTH DAY—Tuesday, June 15, 1965.....	297
SEVENTEENTH DAY—Friday, June 18, 1965.....	354
EIGHTEENTH DAY—Tuesday, June 22, 1965.....	426
NINETEENTH DAY—Friday, June 25, 1965.....	465
TWENTIETH DAY—Tuesday, June 29, 1965.....	567
TWENTY-FIRST DAY—Thursday, July 1, 1965.....	618
TWENTY-SECOND DAY—Tuesday, July 13, 1965.....	685
TWENTY-THIRD DAY—Wednesday, July 14, 1965.....	717
TWENTY-FOURTH DAY—Tuesday, July 20, 1965.....	808
TWENTY-FIFTH DAY—Thursday, July 22, 1965.....	829
TWENTY-SIXTH DAY—Friday, July 23, 1965.....	913
TWENTY-SEVENTH DAY—Tuesday, July 27, 1965.....	935
TWENTY-EIGHTH DAY—Thursday, July 29, 1965.....	1021
TWENTY-NINTH DAY—Friday, July 30, 1965.....	1076
THIRTIETH DAY—Tuesday, August 3, 1965.....	1139
THIRTY-FIRST DAY—Friday, August 6, 1965.....	1244
THIRTY-SECOND DAY—Tuesday, August 10, 1965.....	1451
THIRTY-THIRD DAY—Friday, August 13, 1965.....	1519
THIRTY-FOURTH DAY—Tuesday, August 17, 1965.....	1681
THIRTY-FIFTH DAY—Thursday, August 19, 1965.....	1783
THIRTY-SIXTH DAY—Thursday, August 26, 1965.....	1916

INDEX**ABSENTEE VOTING**

Regulated—

HB 47, pages 1151, 1353

SB 20, pages 10, 888

Seamen, sailors, and mariners, absentee voting by—

HB 664, pages 1151, 1355, 1817, 1958

ACCOUNTANTS

Board of public accountancy, state, appointment and removal of members, fees charged by, and issuance and revocation of certificates—

SB 95, pages 26, 199, 350

ACTIONS

See also: CIVIL REMEDIES AND PROCEDURE; JUDICIAL PROCEDURE; SUITS

Actions on contracts or in tort in which venue is improperly laid, recovery of damages from plaintiff's attorney—

SB 573, pages 1140, 1341

Circuit court, permitting motion to set aside judgment or decree, or granting of new trial—

HB 676, pages 792, 1028

Civil, striking of juries in—

SB 253, pages 226, 532, 614, 1875, 1896, 2133

Corporations, service of process on—

HB 688, pages 1234, 1344, 1760, 1883

Counties 20,050 to 21,850 population admissibility of evidence in certain civil actions—

HB 1264, pages 1657, 1804, 1950, 1977

Counties 76,000 to 100,000 population, introduction of certified copies of hospital records as evidence—

SB 609, pages 1458, 1552

Cross claims and third party practice in civil actions at law, provided for—

HB 621, pages 1156, 1550, 2103, 2129

Divorce suits, property settlements in—

HB 72, pages 554, 1030

Divorce suits, residence requirements in—

SB 22, pages 10, 199

Equity suits, compelling presentation of books, papers, and other documents in certain cases—

HB 45, pages 1231, 1343

HB 46, pages 1232, 1343

Garnishment for collection of alimony or child support, exemption of wages on writ of—

SB 411, page 572

Hospital records, introduction as evidence—

HB 275, pages 210, 668

ACTIONS (Continued)

Hunting, fishing, or recreation, landowners duty toward persons on their premises for purpose of—
HB 22, pages 357, 677, 1517, 1649

Insurance, state superintendent of, fee for acceptance of service of legal process—
HB 230, pages 790, 902

Legal notices, rates for publication of—
HB 715, pages 633, 702, 1514, 1649
HB 716, pages 634, 702, 1514, 1649

Minors, recovery of damages from parents upon destruction of property by—
HB 377, pages 798, 1030, 2091
SB 203, pages 162, 532

Non-resident owners and operators of boats and other water craft, service of process on—
HB 622, pages 1155, 1343

Non-residents, service of process on—
HB 319, pages 580, 669
SB 544, page 1022

Notices, legal, supplemental publication of—
SB 178, pages 131, 268

Person having defective hearing or speech, providing for an interpreter for—
HB 591, pages 548, 670, 899, 1197

Person rendering care at scene of accident, exemption from civil liability—
HB 16, page 1146

Real property, prescribing period of redemption from sale under court decree, power of sale, deed of trust, or otherwise—
HB 573, pages 1080, 1342
SB 266, pages 209, 964
SB 349, pages 428, 665

Service of process upon certain defendants, evidence of—
HB 786, pages 1230, 1344

Service of process upon non-resident defendant, evidence of—
HB 787, pages 1230, 1550

Subpoena duces tecum, procurement of evidence of circuit court records by—
HB 792, pages 1231, 1343

Uniform commercial code, adoption of—
SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, 1863, 1873, 1916

Walker County, action of ejectment to recover real property by purchaser—
SB 598, pages 1261, 1506, 1572, 1967, 2092, 2134

Walker County, introduction of certified copies of hospital records as evidence—
HB 742, pages 559, 701, 1041, 1212
SB 595, pages 1256, 1507, 1573, 1967, 2092

ACTS AMENDED GENERAL ACTS

- 1923 Acts, Act No. 502, p. 633, providing for a policemen and firemen's pension and relief system in cities 100,000 population or more—
HB 554, pages 503, 695, 734, 943
- 1939 Acts, Act No. 669, p. 1064, known as the "Alabama Motor Carrier Act of 1939"—
SB 392, page 480
- 1943 Acts, Act No. 255, p. 226, providing for the distribution of the proceeds of the taxes levied on alcoholic beverages—
HB 1221, pages 1741, 1799
SB 577, page 1144
- 1945 Acts, Act No. 1, p. 1, regulating the drilling for, and production of, gas and oil—
HB 127, pages 1438, 1560
HB 128, pages 629, 887
HB 141, pages 581, 1037
HB 142, pages 581, 1037
- 1945 Acts, Act No. 132, p. 133, regulating the making and application of rates by certain insurance companies—
SB 200, page 160
- 1945 Acts, Act No. 133, p. 145, regulating the making of rates by casualty and surety insurance companies—
SB 199, page 160
- 1945 Acts, Act No. 169, p. 285, levying the forest products severance tax—
SB 69, page 23
- 1945 Acts, Act No. 207, p. 323, creating the school of dentistry of the university of Alabama—
HB 586, pages 1111, 1349, 1818, 1957
SB 235, pages 220, 266
- 1945 Acts, Act No. 211, p. 330, authorizing the state board of health to construct and maintain public hospitals and health centers—
SB 507, pages 915, 974, 1074, 1877, 1927, 2133
- 1945 Acts, Act No. 248, p. 376, creating a civil service system in counties 400,000 population or more—
HB 1218, pages 1531, 1697, 1853, 1961
- 1945 Acts, Act No. 288, p. 478, providing for supernumerary circuit judges—
SB 262, pages 260, 669
- 1945 Acts, Act No. 515, p. 734, creating the state employees' retirement system—
HB 160, pages 490, 670, 1469
HB 210, pages 194, 366, 900, 1196
SB 14, pages 7, 264, 464, 1235, 1245, 1451
SB 123, page 60
- 1947 Acts, Act No. 181, p. 66, levying a mortgage recording tax on savings and loan associations—
SB 72, page 72
- 1947 Acts, Act No. 298, p. 149, providing for the licensing of manufacturers, distillers, and distributors of alcoholic beverages—
HB 1141, pages 1739, 1802, 2083, 2114

ACTS AMENDED GENERAL ACTS (Continued)

- 1947 Acts, Act No. 314, p. 179, prescribing penalties for violations of law relating to sale, handling, and distribution of barbiturates—
HB 289, page 793
- 1947 Acts, Act No. 385, p. 280, levying a tax on motor fuels in counties 400,000 population or more—
HB 1053, pages 1184, 1358, 1585, 1593, 1788
- 1947 Acts, Act No. 531, p. 388, fixing the compensation of members of boards of registrars—
HB 79, pages 1151, 1803
- 1949 Acts, Act No. 128, p. 154, providing for the service of process on non-residents in certain cases—
HB 319, pages 580, 669
SB 544, page 1022
- 1949 Acts, Act No. 207, p. 242, known as the "Alabama Coal Mine Safety Law of 1949"—
HB 104, pages 210, 240, 350, 457
SB 18, pages 9, 128, 350
- 1949 Acts, Act No. 424, p. 601, providing for absentee voting—
HB 47, pages 1151, 1353
- 1949 Acts, Act No. 436, p. 632, conferring additional powers on the board of commissioners of the state bar—
HB 1029, page 1156
- 1949 Acts, Act No. 529, p. 827, creating the plumbers examining board in counties 150,000 population or more—
SB 504, pages 915, 1361, 1598, 1996, 2094, 2134
- 1949 Acts, Act No. 530, p. 839, regulating through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions—
HB 702, pages 633, 1032, 2091
SB 285, page 263
- 1949 Acts, Act No. 648, p. 991, providing for the industrial development of municipalities—
HB 633, pages 635, 888, 1241, 1549
HB 931, pages 1153, 1344, 1817, 1876, 1959
SB 139, pages 66, 241
SB 223, pages 208, 266, 891, 1737, 1758, 1916, 1950
SB 480, pages 833, 1029
- 1951 Acts, Act No. 47, p. 259, providing educational benefits for certain disabled veterans and their dependents—
HB 338, page 1153
SB 160, pages 80, 266, 1365, 2104, 2123, 2134
- 1951 Acts, Act No. 48, p. 102, providing for social security coverage for state and local government employees—
HB 782, pages 1230, 1348, 2082, 2114
SB 393, pages 480, 671
- 1951 Acts, Act No. 148, p. 382, providing for deductions in computing net income for income tax purposes.
SB 387, pages 479, 918
- 1951 Acts, Act No. 208, p. 470, providing for standard deductions allowed for income tax purposes—
HB 323, pages 741, 1803, 2084, 2113
SB 389, pages 480, 918

ACTS AMENDED GENERAL ACTS (Continued)

- 1951 Acts, Act No. 344, p. 632, providing for the assessment of property in counties 400,000 population or more—
HB 1213, pages 1390, 1510, 1636
SB 576, pages 1144, 1357, 1571
- 1951 Acts, Act No. 703, p. 1211, creating state and county departments of public welfare—
HB 259, page 1235
SB 108, pages 34, 54, 349, 1863, 1896, 2133
- 1951 Acts, Act No. 704, p. 1224, known as the "Motor Vehicle Safety-Responsibility Act"—
HB 355, pages 1443, 1552, 1809, 1823, 1892
HB 356, pages 1443, 1551, 1810, 1823, 1892
SB 11, page 7
- 1951 Acts, Act No. 756, p. 1307, providing for the industrial development of counties—
SB 140, pages 66, 241
- 1951 Acts, Act No. 762, p. 1319, providing for the incorporation of gas districts—
HB 125, pages 1669, 1693, 1814, 1956
- 1951 Acts, Act No. 912, p. 1563, providing for the assessment of solicitor's fees as part of cost of appeals of judgments rendered in municipal courts—
HB 85, pages 793, 920, 1468, 1576
SB 53, pages 18, 241, 1469
- 1951 Acts, Act No. 926, p. 1575, creating the commission on uniform state laws—
HB 48, pages 794, 917, 2081, 2112
SB 40, page 16
- 1951 Acts, Act No. 929, p. 1579, creating a pension and relief fund for employees in cities 250,000 population or more—
HB 1262, pages 1658, 1697, 1853, 1964
- 1951 Acts, Act No. 1001, p. 1672, prohibiting the baiting of wild game birds and animals—
HB 23, page 767
SB 21, pages 10, 1038
- 1953 Acts, Act No. 60, p. 88, prescribing a penalty for dumping garbage, trash, and refuse on lands of another—
HB 939, pages 1380, 1805
- 1953 Acts, Act No. 202, p. 267, creating the board of corrections—
HB 917, pages 1230, 1351, 1807, 1959
SB 455, pages 689, 884
- 1953 Acts, Act No. 451, p. 555, providing for a system of diversified prison industries—
HB 915, pages 1229, 1351, 1807, 1959
SB 453, pages 689, 884
- 1953 Acts, Act No. 474, p. 589, providing for supernumerary circuit solicitors—
HB 213, pages 1236, 1344
- 1953 Acts, Act No. 688, p. 940, regulating the operation of farm trailers on public highways—
SB 527, pages 953, 1029, 1782, 1993, 2094, 2134

ACTS AMENDED GENERAL ACTS (Continued)

- 1953 Acts, Act No. 720, p. 974, regulating participation of public employees in labor unions—
SB 601, page 1263
- 1953 Acts, Act No. 784, p. 1069, regulating and licensing the use of commercial fishing gear—
HB 753, page 1748
- 1953 Acts, Act No. 845, p. 1136, providing for special municipal censuses conducted by the federal bureau of census—
SB 52, pages 18, 1352
- 1955 Acts, Act No. 55, p. 165, providing for the compensation of supernumerary judges in judicial circuits composed of one county having four to nine judges—
SB 502, pages 897, 966, 1050
- 1955 Acts, Act No. 201, p. 492, providing and regulating attendance of pupils at schools—
SB 394, pages 480, 884, 1431, 1452, 1894, 1928, 2133
- 1955 Acts, Act No. 210, p. 515, fixing the compensation of the solicitor of the circuit court in circuits composed of one county and having not less than four nor more than nine judges—
HB 1189, pages 1380, 1511, 1637, 1889
- 1955 Acts, Act No. 249, p. 591, providing for the education of exceptional children—
HB 963, page 1153
- 1955 Acts, Act No. 252, p. 595, providing for the examination and registration of nurses—
HB 619, pages 1237, 1557
SB 119, pages 50, 201, 1487, 1822, 1837, 1916
- 1955 Acts, Act No. 289, p. 661, providing for the withholding of income taxes—
HB 322, pages 1741, 1803, 2084, 2112
SB 388, pages 479, 918
- 1955 Acts, Act No. 335, p. 756, providing for a stenographic secretary for the solicitor of the sixth judicial circuit—
SB 168, page 81
- 1955 Acts, Act No. 345, p. 783, creating the domestic relations division of the circuit court in counties 225,000 to 500,000 population—
SB 188, pages 136, 964, 1042, 1991, 2093, 2134
SB 556, pages 1025, 1131, 1419, 1989, 2094, 2134
- 1955 Acts, Act No. 373, p. 898, creating the state fire college—
HB 970, pages 1152, 1342, 1782, 1883
- 1955 Acts, Act No. 375, p. 901, providing for the taking of depositions of witnesses or parties upon oral examination for discovery or for use as evidence—
HB 46, pages 1232, 1343
- 1955 Acts, Act No. 382, p. 916, providing for the issuance of permits for movement of certain oversized vehicles over the public highways—
HB 896, pages 1151, 1552
SB 115, page 45
SB 438, pages 621, 1194

ACTS AMENDED GENERAL ACTS (Continued)

- 1955 Acts, Act No. 397, p. 932, prescribing a penalty for the indecent molestation of children—
SB 324, page 314
- 1955 Acts, Act No. 452, p. 1004, providing for mayor-council form of government in cities 200,000 population or more—
HB 491, pages 413, 540, 605, 625
HB 493, pages 417, 540, 606, 626
HB 494, pages 419, 494, 606, 626
HB 496, pages 419, 540, 607, 626
HB 498, pages 419, 541, 1935
HB 502, pages 419, 541, 608, 626
HB 1052, pages 1183, 1553, 1685, 1886
SB 297, pages 303, 367, 608
SB 298, pages 303, 367, 608
SB 299, pages 303, 368, 608
SB 300, pages 303, 368, 608
SB 301, pages 303, 368, 608
SB 302, pages 304, 368, 608
- 1955 Acts, Act No. 476, p. 1084, providing for the appointment and compensation of deputy circuit solicitors of the twenty-third judicial circuit—
HB 933, pages 842, 967, 1053, 1211
SB 481, page 834
- 1955 Acts, Act No. 477, p. 1084, providing an expense allowance for judges of the eighth judicial circuit—
HB 1283, pages 1725, 1800, 1940, 1977
- 1955 Acts, Act No. 493, p. 1116, providing for a public corporation for the construction of municipal buildings—
HB 1080, pages 1149, 1556
- 1957 Acts, Act No. 343, p. 452, regulating state purchasing—
HB 807, page 1745
SB 359, pages 442, 543
- 1957 Acts, Act No. 352, p. 461, providing for unit operation of oil and gas fields
HB 143, pages 581, 1037
- 1957 Acts, Act No. 372, p. 499, creating the commission on education with respect to alcoholism—
SB 510, pages 924, 1348
- 1957 Acts, Act No. 389, p. 523, providing for the abandonment and removal of cemeteries—
SB 48, pages 17, 199, 244, 714, 806, 828
- 1957 Acts, Act No. 602, p. 861, fixing the compensation of the state attorney general—
HB 404, pages 1742, 1799, 2090, 2130
SB 414, pages 573, 669
- 1959 Acts, Act No. 100, Second Special Session, p. 298, levying the state sales tax—
HB 146, pages 1109, 1350
HB 328, pages 1668, 1694, 1811, 1822, 1892
HB 571, pages 1189, 1350, 1816, 1957
HB 594, pages 1670, 1694, 2086, 2113
SB 126, pages 61, 1349
SB 383, pages 479, 919

ACTS AMENDED GENERAL ACTS (Continued)

- SB 384, pages 479, 918
- SB 386, pages 479, 919
- SB 572, pages 1080, 1349, 1566, 1877, 1927, 2133
- 1959 Acts, Act No. 100, p. 569, creating the board of dental examiners—
 - HB 427, pages 1191, 1354
 - SB 193, pages 136, 201
- 1959 Acts, Act No. 107, p. 604, known as the "Alabama Basic Science Law"—
 - HB 393, pages 1109, 1346, 2083, 2113
 - HB 701, pages 746, 1798
 - SB 64, pages 21, 200, 245, 1872, 1927, 2133
 - SB 167, page 81
- 1959 Acts, Act No. 250, p. 810, creating the domestic relations division of the circuit court in counties 125,000 to 225,000 population—
 - SB 184, pages 135, 235, 273, 551, 568
- 1959 Acts, Act No. 576, p. 1442, requiring the registration of boats and other vessels operated on the waters of this state—
 - HB 170, pages 634, 1350, 1814, 1957
 - SB 15, page 7
 - SB 16, pages 8, 1039
- 1959 Acts, Act No. 586, p. 1474, requiring furnishing to board of registrars name of person disqualified from voting on conviction of crime—
 - SB 485, pages 838, 973
- 1961 Acts, Act No. 47, p. 1904, providing for exemptions from state, county, and municipal taxes and licenses—
 - HB 929, pages 1670, 1802, 2087, 2112, 2125, 2132
- 1961 Acts, Act No. 73, p. 1948, fixing the compensation of supernumerary circuit judges—
 - SB 94, pages 26, 200
- 1961 Acts, Act No. 109, p. 134, authorizing municipalities to provide hospital facilities—
 - SB 174, pages 82, 366, 593, 1968, 2091, 2134
- 1961 Acts, Act No. 158, p. 206, regulating the compensation of the coroner of counties 96,000 to 106,000 population—
 - HB 1042, pages 1176, 1359, 1594, 1786
- 1961 Acts, Act No. 173, p. 217, fixing the compensation of members of the jury commission in counties 115,000 to 165,000 population—
 - HB 1205, pages 1385, 1510, 1636, 1890
 - SB 551, pages 1024, 1131, 1416, 1727, 1757, 1915
- 1961 Acts, Act No. 189, p. 2159, regulating the sale, use, or possession of amphetamines—
 - HB 294, pages 799, 1557
- 1961 Acts, Act No. 207, p. 2185, providing for the establishment of family court divisions of the circuit court in counties 110,000 to 160,000 population—
 - HB 517, pages 380, 542, 725, 978
 - HB 1139, pages 1276, 1509, 1628, 1887
 - SB 192, pages 136, 235, 274, 550, 569, 617

ACTS AMENDED GENERAL ACTS (Continued)

- 1961 Acts, Act No. 210, p. 240, fixing the compensation of the county engineer in counties 22,350 to 24,350 population—
HB 157, pages 109, 674, 726, 940
- 1961 Acts, Act No. 268, p. 712, regulating compensation of state officers and employees—
HB 836, pages 768, 919, 1749, 1786, 1806, 1820, 2108, 2130
- 1961 Acts, Act No. 412, p. 429, providing for the compensation and allowances of certain officers of counties 96,000 to 106,000 population—
HB 900, pages 767, 819, 1835, 1875, 1959
- 1961 Acts, Act No. 491, p. 563, providing for a commission form of government in cities 60,000 to 70,000 population—
SB 457, page 690
- 1961 Acts, Act No. 663, p. 828, regulating elections in cities and towns not having a commission form of government—
HB 92, pages 579, 1195, 1469, 1576
SB 55, page 18
- 1961 Acts, Act No. 664, p. 1961, regulating elections in cities 300,000 population or less—
HB 87, pages 491, 668, 808, 945
- 1961 Acts, Act No. 674, p. 925, providing for the levy and collection of a tax on fuel used by motor carriers—
HB 326, pages 1446, 1559, 2085, 2113
SB 380, page 478
- 1961 Acts, Act No. 781, p. 1134, providing an expense allowance for the superintendent of education in counties 31,000 to 32,000 population—
HB 528, pages 384, 533, 594, 623
- 1961 Acts, Act No. 814, p. 1190, providing an expense allowance for members of the governing body in counties 25,500 to 25,700 population—
HB 18, pages 105, 236, 275, 456
- 1961 Acts, Act No. 817, p. 1204, providing for supernumerary court reporters—
HB 52, pages 553, 920, 1822, 1891
SB 103, pages 33, 532
SB 448, page 687
- 1961 Acts, Act No. 934, p. 1506, providing for a tax equalization program of real property in counties 300,000 to 600,000 population—
HB 1015, pages 1371, 1512, 1640, 1884
SB 509, pages 923, 1036, 1410
- 1963 Acts, Act No. 67, p. 444, levying the state use tax—
SB 561, pages 1028, 1349
- 1963 Acts, Act No. 138, p. 323, providing for the deposition of witnesses or parties upon oral examination for discovery or use as evidence in equity suits—
HB 45, pages 1231, 1343
- 1963 Acts, Act No. 157, p. 350, providing for the establishment of the university of south Alabama—
SB 279, pages 262, 321, 1482, 1875, 1896, 2133

ACTS AMENDED GENERAL ACTS (Continued)

- 1963 Acts, Act No. 288, p. 732, providing an expense allowance for members of the governing body of counties 22,350 to 24,350 population—
SB 553, pages 1024, 1128, 1414, 1728, 1757, 1915
- 1963 Acts, Act No. 356, p. 855, authorizing cities 200,000 to 300,000 population to protect historic sites, monuments, and buildings of historical character—
HB 1145, pages 1286, 1511, 1638, 1887
- 1963 Acts, Act No. 379, p. 879, regulating the conduct of elections in counties 50,000 to 54,000 population—
HB 1265, pages 1657, 1699, 1857
SB 600, pages 1263, 1511, 1574, 1821, 1838, 1916
- 1963 Acts, Act No. 402, p. 901, regulating the sale of alcoholic beverages and beer in counties 115,000 to 160,000 population—
SB 263, pages 260, 322, 449, 615, 619, 685
- 1963 Acts, Act No. 424, p. 931, regulating the sale of seed—
HB 31, pages 1313, 1465
SB 79, pages 24, 243
- 1963 Acts, Act No. 545, p. 1162, payment of equities in litigation concerning gulf state park—
HB 848, pages 1445, 1559, 2091
SB 410, pages 572, 1030
- 1963 Acts, Act No. 589, p. 1285, amending the act levying a filing fee upon persons or firms selling alcoholic beverages to the Alabama alcoholic beverage control board—
SB 161, pages 81, 1347
- 1964 Acts, Act No. 22, p. 43, providing for the compensation of judges in judicial circuits composed of one county 110,000 to 160,000 population—
SB 348, pages 428, 534, 720, 1154, 1218, 1450
- 1964 Acts, Act No. 207, p. 277, providing for the appointment of judges of the tenth judicial circuit—
HB 793, page 1311
- 1964 Acts, Act No. 209, p. 279, creating the state board of registration for sanitarians—
HB 696, pages 1444, 1557, 1952, 1977
SB 187, page 135
- 1964 Acts, Act No. 237, p. 322, providing for an expense allowance for members of the governing body of counties 19,500 to 20,000 population—
HB 1208, pages 1380, 1509, 1628, 1890
- 1965 Acts, Act No. 107, providing for the incorporation of water authorities—
HB 1134, pages 1313, 1557, 1952, 1977
- 1965 Acts, Act No. 278, providing for a scholarship program for medical education—
HB 391, pages 1109, 1559, 2083, 2113
SB 116, pages 81, 1347

ACTS AMENDED LOCAL ACTS

- Barbour County, 1919 Local Acts, Act No. 221, p. 69, creating the board of revenue—
SB 60, pages 21, 38, 42, 137, 153, 156
- Blount County, 1923 Local Acts, Act No. 345, p. 237, relating to the superintendent of education—
HB 544, page 525
SB 326, pages 314, 371, 443, 614, 616, 685
- Blount County, 1963 Acts, Act No. 228, p. 626, creating the court of county commissioners—
SB 477, pages 832, 965, 1066, 1522, 1568
- Bullock County, 1953 Acts, Act No. 155, p. 197, regulating the duties and compensation of members of the court of county commissioners—
HB 1102, pages 1296, 1506, 1622
SB 528, pages 953, 1034, 1399, 1659, 1703, 1915
- Butler County, 1959 Acts, Act No. 12, p. 417, providing for the reidentification of voters—
HB 241, pages 169, 237, 284, 458
- Calhoun County, 1939 Local Acts, Act No. 420, p. 252, creating a county commission—
HB 883, page 758
- Calhoun County, 1947 Local Acts, Act No. 291, p. 220, creating the office of coroner—
HB 856, page 753
- Calhoun County, 1953 Acts, Act No. 251, p. 316, creating the juvenile and domestic relations court—
HB 862, pages 761, 820, 998, 1204
- Chambers County, 1953 Acts, Act No. 496, p. 624, providing for the compensation and clerical assistance for certain officers—
HB 909, pages 854, 966, 1051, 1213
- Chambers County, 1959 Acts, Act No. 22, p. 48, regulating fishing—
HB 424, pages 326, 535, 599, 624
- Cherokee County, 1943 Local Acts, Act No. 162, p. 78, fixing the compensation of certain officers—
HB 1035, pages 1166, 1360, 1631, 1885
- Cherokee County, 1955 Acts, Act No. 261, p. 606, providing for the construction, repair, and maintenance of roads and bridges—
HB 1033, page 1164
- Cherokee County, 1963 Acts, Act No. 143, p. 519, providing clerical assistance for the circuit clerk—
HB 1036, pages 1167, 1360, 1630, 1885
- Cherokee County, 1963 Acts, Act No. 505, p. 1087, creating the county court—
HB 1034, pages 1165, 1360, 1630, 1885
- Chilton County, 1959 Acts, Act No. 471, p. 1170, levying sales and use taxes—
HB 465, pages 780, 968, 1056, 1211
- Choctaw County, 1927 Local Acts, Act No. 24, p. 67, providing for the election, qualifications, compensation, and expense allowance for the superintendent of education—
HB 20, pages 165, 236, 276, 456

ACTS AMENDED LOCAL ACTS (Continued)

- Choctaw County, 1927 Local Acts, Act No. 122, p. 41, establishing a board of commissioners—
SB 33, pages 14, 46, 128, 1522, 1568, 1680
- Choctaw County, 1945 Local Acts, Act No. 98, p. 65, abolishing the fine and forfeiture fund—
HB 1104, pages 1298, 1505, 1620, 1791
- Clarke County, 1932 Local Acts, p. 13, providing for the compensation of the superintendent of education—
HB 453, pages 338, 373, 488
- Clarke County, 1951 Acts, Act No. 819, p. 1452, prescribing duties and compensation of members of the court of county commissioners—
HB 466, pages 400, 536, 600, 625
- Covington County, 1957 Acts, Act No. 47, p. 90, fixing the compensation of deputies to the sheriff—
HB 44, pages 138, 236, 281, 456
- Cullman County, 1955 Acts, Act No. 13, p. 37, creating the county commission—
HB 898, pages 765, 969, 1060, 1211
SB 449, pages 687, 964, 1045, 1522, 1568, 1680, 1709
- Cullman County, 1955 Acts, Act No. 18, p. 45, creating the commission on education—
HB 1114, pages 1304, 1506, 1623, 1792
SB 530, pages 955, 1034, 1398, 1659, 1703, 1915, 1945
- Cullman County, 1959 Acts, Act No. 167, p. 690, creating the board of revenue—
HB 1110, pages 1301, 1508, 1626, 1886
SB 472, pages 815, 965, 1048
- Dallas County, 1959 Acts, Act No. 11, p. 417, fixing the compensation of certain county officers—
SB 396, pages 480, 674, 725, 1155, 1218, 1265, 1447, 1450, 1452, 1680
- Elmore County, 1957 Acts, Acts No. 49, p. 92, providing for the appointment and compensation of deputies to the sheriff—
HB 1171, pages 1378, 1506, 1622, 1791
- Escambia County, 1963 Acts, Act No. 411, p. 912, creating the board of commissioners—
HB 1240, pages 1663, 1695, 1848, 1963
- Franklin County, 1963 Acts, Act No. 515, p. 1100, levying a tobacco tax—
HB 1172, pages 1535, 1699, 1861, 1960
- Hale County, 1953 Acts, Act No. 61, p. 89, creating the board of revenue—
HB 764, pages 789, 969, 1067, 1204
- Houston County, 1947 Local Acts, Act No. 273, p. 196, known as "The Civil Service Act of Dothan"—
SB 613, pages 1704, 1801
- Houston County, 1953 Acts, Act No. 103, p. 145, creating the city of Dothan pension and retirement system—
HB 928, pages 865, 970, 1063, 1205
HB 1122, pages 1270, 1505, 1620, 1791

ACTS AMENDED LOCAL ACTS (Continued)

- Houston County, 1957 Acts, Act No. 11, p. 35, providing for clerical assistance for certain officers—
HB 765, pages 651, 699, 742, 818
- Jackson County, 1959 Acts, Act No. 69, p. 238, creating the county court—
HB 767, pages 749, 821, 1004, 1208
- Jackson County, 1963 Acts, Act No. 209, p. 606, providing for the re-identification of voters—
SB 607, pages 1455, 1552, 1684, 1967, 2092, 2134
- Jefferson County, 1939 Acts, Act No. 462, p. 277, providing for the maintenance and operation of law libraries—
HB 556, pages 504, 695, 734, 939
- Lauderdale County, 1961 Acts, Act No. 116, p. 2041, providing clerical assistance for the sheriff—
HB 1004, pages 1099, 1800, 1941, 1975
- Limestone County, 1953 Acts, Act No. 354, p. 422, fixing the compensation of members of the board of revenue other than the chairman—
HB 648, pages 512, 823, 1009, 1206
- Limestone County, 1953 Acts, Act No. 355, p. 423, fixing the compensation of the sheriff and his deputies—
HB 647, pages 511, 823, 1010, 1206
- Limestone County, 1957 Acts, Act No. 68, p. 106, levying sales and use taxes—
SB 424, pages 588, 825, 1015, 1366, 1429, 1679
- Limestone County, 1959 Acts, Act No. 204, p. 738, providing for the compensation and clerical assistance for certain officers—
HB 649, pages 514, 823, 1009, 1207
- Limestone County, 1961 Acts, Act No. 596, p. 708, authorizing employment of additional clerk by the circuit clerk and register—
HB 650, pages 493, 823, 1008, 1207
- Macon County, 1939 Local Acts, Act No. 334, p. 225, creating the board of revenue—
HB 215, pages 166, 535, 976, 1196
- Madison County, 1957 Acts, Act No. 501, p. 688, changing the method of compensating the judge of probate—
HB 1064, pages 1179, 1358, 1592, 1787
SB 522, pages 950, 1034, 1400, 1659, 1703, 1915, 1948
- Madison County, 1957 Acts, Act No. 661, p. 1003, creating the county court—
HB 1065, pages 1180, 1361, 1605, 1787
SB 523, pages 951, 1034, 1401, 1659, 1703, 1915, 1947
- Madison County, 1959 Acts, Act No. 658, p. 1592, levying the cigarette tax—
HB 296, pages 194, 238, 285, 459, 664, 945
HB 961, pages 841, 968, 1055, 1212
SB 484, pages 836, 965, 1050
- Madison County, 1962 Acts, Act No. 166, p. 212, fixing the compensation of the coroner—
HB 827, pages 774, 821, 1002, 1209
SB 360, pages 466, 697, 738

ACTS AMENDED LOCAL ACTS (Continued)

- Madison County, 1963 Acts, Act No. 128, p. 503, regulating the business of well drilling—
HB 1280, pages 724, 1802, 1944, 1977
SB 606, pages 1454, 1552, 1683, 1968, 2092, 2134
- Madison County, 1965 Acts, Act No. 68, altering the boundaries of the town of Madison—
SB 418, pages 575, 698, 740
- Marion County, 1935 Local Acts, Act No. 82, p. 18, providing for the qualifications, term, and compensation of the superintendent of education—
HB 119, pages 105, 267, 445, 488
- Marion County, 1957 Acts, Act No. 30, p. 72, creating the superior court—
HB 120, page 106
- Marshall County, 1963 Acts, Act No. 30, p. 404, creating the county court—
SB 220, pages 206, 239, 288, 627, 679, 716
- Marshall County, 1963 Acts, Act No. 293, p. 745, changing the method of compensating county officers—
HB 519, pages 380, 542, 611, 944
- Marshall County, 1963 Acts, Act No. 294, p. 755, creating the commission on government and finance—
HB 934, pages 848, 1035, 1402, 1540, 1578
- Mobile County, 1939 Local Acts, Act No. 470, p. 298, creating the countywide civil service system—
HB 1069, pages 1715, 1801
- Mobile County, 1951 Acts, Act No. 668, p. 1156, providing a mileage allowance for the tax collector and his employees—
HB 135, pages 506, 692, 978, 1198
- Mobile County, 1956 Acts, Act No. 40, p. 328, creating the court of general sessions—
HB 145, pages 1370, 1511, 1638, 1882
- Mobile County, 1957 Acts, Act No. 161, p. 210, providing for a pension and relief fund for the employees of the water works and sewer board of the city of Prichard—
HB 148, pages 421, 1036, 1412, 1576
- Mobile County, 1964 Acts, Act No. 243, p. 326, creating the policemen and firemen's pension and relief fund of the city of Mobile—
HB 564, pages 778, 1035, 1410, 1550
- Morgan County, 1939 Local Acts, Act No. 361, p. 248, fixing the compensation of the tax assessor—
HB 1135, pages 1283, 1500, 1611, 1788
- Morgan County, 1939 Local Acts, Act No. 464, p. 278, fixing the compensation of the tax collector—
HB 1152, pages 1281, 1500, 1610, 1788
- Morgan County, 1951 Acts, Act No. 437, p. 789, fixing the compensation of members of the board of revenue and control—
HB 1151, pages 1281, 1500, 1610, 1788
- Perry County, 1961 Acts, Act No. 591, p. 699, levying sales and use taxes in school district two—
HB 875, pages 800, 970, 1061, 1210

ACTS AMENDED LOCAL ACTS (Continued)

- Randolph County, 1939 Acts, Act No. 624, p. 363, providing for an additional deputy to the sheriff—
HB 948, pages 926, 1035, 1936
- Randolph County, 1949 Acts, Act No. 688, p. 1064, creating commissioners' districts—
HB 30, pages 407, 968, 1057, 1209
- St. Clair County, 1953 Acts, Act No. 173, p. 217, creating the inferior court—
HB 969, pages 1714, 1801, 1943, 1975
- Tuscaloosa County, 1953 Acts, Act No. 56, p. 76, levying sales and use taxes—
HB 1078, pages 1182, 1513, 1643, 1886
- Walker County, 1957 Acts, Act No. 45, p. 89, providing leaves of absence for employees of—
HB 744, pages 562, 702, 1042, 1213
- Washington County, 1957 Acts, Act No. 99, p. 137, fixing the compensation of the superintendent of education—
HB 180, pages 111, 237, 281, 457
- Wilcox County, 1939 Local Acts, Act No. 436, p. 261 providing for the power, duties, authority, and compensation of members of the court of county commissioners—
SB 518, pages 946, 1033, 1395, 1671, 1703, 1915
- Wilcox County, 1955 Acts, Act No. 192, p. 477, providing clerical assistance for certain officers—
SB 369, pages 473, 674, 725, 1154, 1218, 1450
- Winston County, 1919 Local Acts, Act No. 388, p. 164, providing for the holding of circuit court at Haleyville—
SB 230, pages 217, 267, 447, 628, 679, 716
- Winston County, 1931 Local Acts, Act No. 539, p. 257, providing for a board of education—
HB 196, pages 124, 533, 595, 624
- Winston County, 1955 Acts, Act No. 242, p. 553, creating the law and equity court—
HB 347, pages 279, 372, 452, 488
- Winston County, 1959 Acts, Act No. 326, p. 902, creating the board of revenue—
HB 193, pages 118, 699, 984, 1200

ACTS OF ALABAMA

- Appropriation, printing and binding of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

ACTS REPEALED GENERAL ACTS

- 1943 Acts, Act No. 542, p. 522, providing for testing of motor vehicles at municipal testing stations—
SB 172, pages 82, 1465
- 1947 Acts, Act No. 523, p. 379, creating the water improvement advisory commission—
HB 132, pages 715, 1032, 1760, 1784, 1822, 1892
SB 25, page 10
SB 124, page 60

ACTS REPEALED GENERAL ACTS (Continued)

- 1951 Acts, Act No. 275, p. 559, creating the liquefied petroleum gas commission—
HB 162, pages 579, 671, 903, 1197
SB 43, pages 16, 264, 976
- 1951 Acts, Act No. 805, p. 1402, known as "The Unfair Cigarette Sales Act"—
SB 198, page 159
- 1953 Acts, Act No. 735, p. 994, providing for the control and eradication of diseases of honeybees—
SB 194, pages 136, 243
- 1955 Acts, Act No. 342, p. 765, creating the state planning and industrial development board—
SB 206, page 162
- 1959 Acts, Act No. 420, p. 1113, prescribing a penalty for fraudulently obtaining telephone or telegraph service—
HB 728, pages 1269, 1551, 1816, 1958
- 1959 Acts, Act No. 460, p. 1152, providing for the compensation of the court reporter of the twenty-second judicial circuit—
SB 146, pages 72, 127, 274
- 1962 Acts, Act No. 115, p. 149, creating the office of deputy solicitor in counties 46,600 to 49,050 population—
HB 1013, pages 1104, 1191, 1585
- 1963 Acts, Act No. 87, p. 252, prescribing the power of the recorder to require appeal bond in certain cases—
HB 1183, pages 1442, 1501, 1612, 1790
- 1964 Acts, Act No. 215, p. 297, fixing the compensation of members of the board of equalization in counties 31,500 to 33,500 population—
HB 1210, pages 1379, 1505, 1619, 1729, 1879
- 1965 Acts, Act No. 242, creating the state industrial development authority—
HB 935, pages 1108, 1194, 1911, 1987, 2100
SB 452, page 689

ACTS REPEALED LOCAL ACTS

- Cherokee County, 1943 Acts, Act No. 237, p. 138, creating the office of county solicitor—
HB 352, pages 185, 238, 292, 459, 1810
- Covington County, 1959 Acts, Act No. 460, p. 1152, providing for the compensation of the court reporter—
HB 256, pages 171, 237, 271, 458
- Crenshaw County, 1915 Local Acts, Act No. 353, p. 255, abolishing the office of county treasurer—
HB 911, pages 485, 966, 1052, 1211
- Cullman County, 1963 Acts, Act No. 67, p. 235, providing for the operation of telephone systems by municipal corporations—
HB 354, pages 189, 238, 286, 459
- Houston County, 1947 Local Acts, Act No. 315, p. 226, creating the law and equity court—
HB 479, pages 517, 700, 742, 981, 1020

ACTS REPEALED LOCAL ACTS (Continued)

- Limestone County, 1957 Acts, Act No. 479, p. 662, providing a temporary clerk for the judge of probate—
HB 644, pages 508, 824, 1011, 1206
- Marshall County, 1951 Acts, Act No. 62, p. 282, prescribing the jurisdiction of the planning commission of the city of Guntersville—
SB 458, pages 690, 718, 992, 1312, 1369, 1451
- Marshall County, 1963 Acts, Act No. 348, p. 842, regulating fishing—
SB 605, pages 1453, 1552, 1683, 1967, 2092, 2134
- Morgan County, 1961 Acts, Act No. 788, p. 1139, creating a civil service system for the city of Decatur—
HB 784, pages 654, 821, 1003, 1208
- Pickens County, 1955 Acts, Act No. 70, p. 180, authorizing the levy of sales and use taxes—
HB 169, pages 143, 236, 285, 457, 582, 945
- Winston County, 1927 Local Acts, Act No. 158, p. 69, providing for the appointment of additional deputies to the sheriff—
HB 1226, pages 1529, 1698, 1855, 1962
- Winston County, 1947 Local Acts, Act No. 203, p. 121, providing for deputies to the sheriff—
HB 1226, pages 1529, 1698, 1855, 1962
- Winston County, 1957 Acts, Act No. 111, p. 148, providing for the construction, repair, and maintenance of roads and bridges by the state highway department—
HB 194, pages 120, 972, 1069, 1681

ADKINS, RICHARD SMITH

- DeKalb County, relief of—
SB 143, pages 69, 127, 247, 627, 678, 716

ADKINSON, D. B.

- Coffee County, relief of—
HB 1238, pages 1661, 1697, 1851, 1962

ADMINISTRATORS

- Administration of wills, settlement by consent without notice—
HB 411, pages 629, 920
- Assets in kind to surviving spouse, regulating distribution of—
SB 180, pages 131, 1348
- Fiduciaries, powers and duties with respect to distribution of property in kind—
SB 564, pages 1077, 1344

AD VALOREM TAX

- See also: ASSESSMENT; BOARD OF EQUALIZATION; REAL PROPERTY; TAXATION
- Assessed property valuations among the counties, providing for equalization of—
SB 440, page 621
- Assessment of property for taxation, regulated—
SB 246, page 222

AD VALOREM TAX (Continued)

- Autauga County, compensation of members of board of equalization—
HB 710, pages 552, 696, 739, 942
- Baldwin County, for hospital purposes, authorizing levy of, CA—
HB 1159, pages 1376, 1510, 1632, 1730, 1880
- Bibb County, compensation of members of board of equalization—
SB 612, pages 1569, 1697
- Board of equalization, appointment of members—
SB 441, page 621
- Board of equalization, expenses of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Board of equalization, term of service and compensation of members—
SB 442, page 622
- Calhoun County, city of Anniston, levy of ad valorem tax for school purposes, CA—
SB 186, pages 135, 235, 273, 549, 568, 617
- Cities and towns, authorizing rate to be levied, CA—
SB 57, pages 19, 241
- Counties and cities authorized to levy, for library purposes, CA—
HB 894, pages 1305, 1678
- Counties 21,850 to 21,950 population, compensation of members of board of equalization—
HB 543, pages 400, 543, 614, 817
- Counties 25,500 to 25,700 population, expense allowance for members of board of equalization—
HB 1214, pages 1522, 1695, 1848, 1960
- Counties 31,500 to 33,500 population, expense allowance for members of board of equalization—
HB 1210, pages 1379, 1505, 1619, 1729, 1879
- Counties 38,000 to 45,000 population, compensation of members of board of equalization—
SB 460, pages 691, 826, 1016, 1366, 1429, 1679
- Counties 76,000 to 96,000 population, redemption of land sold for—
HB 904, pages 844, 971, 1066, 1205
- Counties 100,000 to 115,000 population, compensation of members of board of equalization—
HB 532, page 384
- Counties 110,000 to 160,000 population, assessment of property for—
HB 1213, pages 1390, 1510, 1636
SB 576, pages 1144, 1357, 1571
- Counties 300,000 to 600,000 population, determination of ratio percentage used in establishing assessed values from appraised values of property—
HB 1015, pages 1371, 1512, 1640, 1884
SB 509, pages 923, 1036, 1410

AD VALOREM TAX (Continued)

Counties 600,000 population or more, redemption of land sold for taxes—

HB 1050, pages 1183, 1360, 1843, 1959

SB 303, pages 304, 368, 1567

Cullman County, expense allowance for members of board of equalization—

HB 1113, pages 1303, 1508, 1625, 1886

SB 471, pages 814, 965, 1048

Elections by cities or counties to authorize, validated—

HB 93, pages 579, 676

SB 50, pages 18, 240, 1017, 1878, 1926, 2133

Escambia County, compensation of members of board of equalization—

HB 991, pages 1095, 1192, 1633, 1883

Escambia County, sending of notices to taxpayers by mail—

HB 1239, pages 1662, 1697, 1852, 1963

Jefferson County, city of Birmingham, authorizing levy of, CA—

HB 1051, pages 1183, 1358, 1592, 1793

Lee County, city of Auburn, authorizing levy of, CA—

HB 1132, pages 1272, 1504, 1615, 1792

Purchasers, lien holders, or mortgagee of property, payment of portion of tax on—

SB 70, pages 23, 1342

Rescue squads, volunteer, exempting from licensing and registration of certain motor vehicles used by—

HB 11, pages 1152, 1347

Talladega County, school district one, providing for levy of, CA—

HB 1076, pages 1182, 1360, 1682, 1891

SB 506, pages 915, 970, 1064, 1367, 1430, 1680

Tax assessment appeals, appropriation for payment of court costs in—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 60

Tax notices, appropriation for mailing—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Tax sales, appropriation for advertising lands for—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Timber or forest lands, levying ad valorem tax on—

HB 974, pages 1442, 1465

Timber or forest lands, levying ad valorem tax on, CA—

HB 975, pages 1442, 1465

Walker County, city of Jasper, authorizing ad valorem tax for school purposes, CA—

SB 350, pages 428, 534, 597, 746, 807, 828

Warehouses, licensed, exemption of certain agricultural products stored in—

HB 360, pages 636, 885, 1478, 1577

AD VALOREM TAX (Continued)

Washington County, expense allowance for members of board of equalization—

HB 186, pages 193, 237, 283, 458

Winston County, for hospital purposes, authorizing, CA—

HB 197, pages 126, 372, 451, 489

ADVISORY COMMITTEE FOR ECONOMIC OPPORTUNITY

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

ADVISORY COUNCIL FOR PRACTICAL NURSING

Created—

SB 210, pages 163, 543, 1487, 1561, 1866, 1927, 2133

ADVISORY COUNCIL TO THE STATE BOARD OF HEALTH

Qualifications of members of—

SB 507, pages 915, 974, 1074, 1877, 1927, 2133

AERONAUTICS DEPARTMENT, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

AGRICULTURAL AND MECHANICAL INSTITUTE FOR NEGROES

Operating statement and consolidated fund balance sheet, annual, filing of—

HB 634, page 1747

Speakers at, regulating visitation of—

HB 973, pages 1081, 1264, 1362

SB 431, page 620

SB 443, page 622

AGRICULTURAL CENTER BOARD

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Appropriation, aid of fat stock show—

SB 62, page 21

Appropriation, construction of agricultural center facility in Pike County—

HB 171, pages 1111, 1350

Appropriation, construction of building in Baldwin County—

HB 745, page 1741

AGRICULTURAL CREDIT ASSOCIATIONS AND ORGANIZATIONS

Taxation of—

HB 838, page 1739

SB 397, pages 481, 887

AGRICULTURE

Agricultural credit associations or corporations, taxation of—

HB 838, page 1739

SB 397, pages 481, 887

Agricultural products, authorizing public corporations to promote and develop use of—

HB 633, pages 635, 888, 1241, 1549

Agricultural products, establishment of laboratory to obtain pesticide residue analysis of—

HB 1006, pages 1741, 1798

SB 433, page 620

Agricultural statistics, regulating expenditure of funds for compiling—

HB 28, pages 1154, 1347, 1781, 1882

SB 83, pages 25, 917

Alabama food processing and marketing commission, creation of—

HB 583, page 1189

SB 250, page 225

Cotton gins, annual permit required for operation of—

HB 190, pages 629, 702, 1217, 1550

Farm lands, penalty for throwing lighted material on—

SB 87, pages 25, 40, 256, 1518

Farmers' market authority, creation of—

HB 597, pages 1312, 1463

SB 99, pages 27, 675, 1476, 1877, 1926, 2133

Machines or equipment used for agricultural purposes, tax levied on persons selling—

HB 57, pages 359, 670, 1241, 1364, 1418, 1429

SB 81, page 25

Nurserymen, licensing of separate places of business—

SB 409, page 572

Pecans, regulating sale of—

HB 417, pages 1670, 1693, 2099, 2130

SB 88, pages 26, 242

Seed dealers, license fees payable by—

HB 31, pages 1313, 1465

SB 79, pages 24, 243

Shipping point inspection fund, appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Warehouses, licensed, exemption of certain agricultural products stored in—

HB 360, pages 636, 885, 1478, 1577

White-fringed beetle, appropriation for control of—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

AGRICULTURE AND INDUSTRIES, STATE DEPARTMENT OF

Agricultural products, establishment of laboratory to obtain pesticide residue analysis of—

HB 1006, pages 1741, 1798

SB 433, page 620

AGRICULTURE AND INDUSTRIES,
STATE DEPARTMENT OF (Continued)

Agricultural statistics, regulating expenditure of funds for compiling—

HB 28, pages 1154, 1347, 1781, 1882

SB 83, pages 25, 917

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Appropriation bang's disease control—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Appropriation, poultry disease control—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Appropriation, swine disease control—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Commissioner of, succession to office, CA—

SB 101, page 27

Employees of, insured against certain hazards—

HB 267, pages 1236, 1352

SB 177, pages 131, 242

Entomologists, pathologists, horticulturists, floriculturists, and tree surgeons, licensing and regulation of—

SB 430, page 620

Honeybees, control and prevention of diseases of—

HB 653, pages 795, 974, 1808, 1958

SB 194, pages 136, 243

Meat and meat products, imported, regulating sale of—

SB 3, pages 6, 675

Nurserymen and agents of, registration fees paid by—

SB 409, page 572

Pecans, regulating sale of—

HB 417, pages 1670, 1693, 2099, 2130

SB 88, pages 26, 242

Pesticide residues, harmful, establishment of laboratory for making analysis of—

HB 1006, pages 1741, 1798

SB 433, page 620

Seed, regulating sale of—

HB 31, pages 1313, 1465

AID TO DEPENDENT CHILDREN

Public assistance recipients, appointments and removal of legal representative to manage payments to—

SB 106, pages 34, 54, 257, 268, 1862, 1896, 2133

Surplus commodities, penalty for false representation of—

SB 108, pages 34, 54, 349, 1863, 1896, 2133

ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Exempted from requirements for competitive bids—

HB 807, page 1745

Filing fees paid by persons or firms selling to, distribution of proceeds of—

SB 161, pages 81, 1347

Profits, method for distribution of—

SB 577, page 1144

Unlawful sites for sale of alcoholic beverages, prescribed—

SB 176, pages 131, 932

ALABAMA BASIC SCIENCE LAW

Board of examiners in the basic sciences, state, fees payable by applicants for examination by—

HB 393, pages 1109, 1346, 2083, 2113

SB 167, page 81

ALABAMA BOYS' INDUSTRIAL SCHOOL

Appropriation—

HB 820, pages 1110, 1351

HB 864, page 1240

SB 497, page 894

Weakley, colonel David M., commended—

SJR 31, page 352

ALABAMA CIVIL WAR CENTENNIAL COMMISSION

Director of finance authorized to transfer title to certain property to—

HB 1196, pages 1742, 1805

SB 374, pages 476, 918, 1643, 1967, 2091, 2134

ALABAMA COLLEGE

Appropriation—

HB 864, page 1240

SB 366, page 472

Appropriation, educational television facilities—

SB 215, page 164

Liability insurance for employees of, authorized—

HB 965, pages 1233, 1351

Operating statement and consolidated fund balance sheet, annual, filing of—

HB 634, page 1747

Speakers at, regulating visitation of—

HB 973, pages 1081, 1264, 1362

SB 431, page 620

SB 443, page 622

ALABAMA COMMISSION ON INTERSTATE COOPERATION

Regional conference of council of state governments, attendance of delegates at—

HJR 20, pages 104, 268, 460

ALABAMA-COOSA RIVER IMPROVEMENT ASSOCIATION, INCORPORATED

Appropriation—

HB 891, pages 1444, 1694

SB 475, pages 831, 1348

ALABAMA CORRECTIONS AND INSTITUTION FINANCE AUTHORITY

Creation of—

HB 668, page 632

SB 216, pages 164, 231, 909, 921, 936, 1235, 1917, 1928, 2134

Creation of, CA—

SB 217, pages 165, 232

ALABAMA DENTAL SERVICE CORPORATION ACT

Enactment of—

HB 307, pages 1747, 1803

SB 236, pages 220, 266

ALABAMA EDUCATIONAL TELEVISION COMMISSION

Appropriation—

HB 864, page 1240

SB 366, page 472

Governor's Appointment, Member of page 213

Governor's Appointment, Member of page 1933

ALABAMA FOOD PROCESSING AND MARKETING COMMISSION

Creation of—

HB 583, page 1198

SB 250, page 225

ALABAMA G. I. AND DEPENDENTS EDUCATIONAL BENEFIT ACT

Institutions providing benefits under, reimbursement to—

SB 160, pages 80, 266, 1365, 2104, 2123, 2134

Prescribing certain requirements under—

HB 338, page 1153

ALABAMA INDUSTRIAL SCHOOL FOR NEGROES

Appropriation—

HB 864, page 1240

SB 366, page 472

ALABAMA INSTITUTE FOR DEAF AND BLIND

Appropriation—

HB 864, page 1240

SB 366, page 472

"Carrie Henderson Hall," designation of—

HJR 119, pages 1324, 1547

Governor's Appointment, Board of Trustees, pages 1471, 1580

Textbooks, selection of—

HB 1157, pages 1381, 1560

SB 526, pages 953, 1031

ALABAMA INSTITUTE OF AVIATION TECHNOLOGY

Appropriation, capital outlay—
HB 1203, page 1748

ALABAMA LEGISLATIVE COMMISSION TO PRESERVE THE PEACE

Report filed with Secretary, page 584

ALABAMA MASONIC HOME

Exemption from taxation—
HB 929, pages 1670, 1802, 2087, 2112, 2125, 2132

ALABAMA MILK CONTROL BOARD

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

ALABAMA PEACE OFFICER STANDARDS AND TRAINING COMMISSION

Establishment of—
SB 412, page 572

ALABAMA PORT AUTHORITY

Bonds for development and operation of docks, harbors, and seaports, issuance of—
SJR 51, pages 1220, 1355

Creation and operation of—
SB 117, page 45

Creation and operation of, CA—
SB 116, page 45

ALABAMA POULTRY QUEEN

Beasley, Mary Hearn, congratulated on being selected as—
SJR 19, page 214

ALABAMA PUBLIC LIBRARY SERVICE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
HB 800, pages 1438, 1694
SB 157, page 80
SB 416, pages 573, 917

Library science, providing program for education in field of—
HB 823, pages 1233, 1346, 1513, 1649
SB 354, pages 433, 543, 1513

ALABAMA PUBLIC SCHOOL AND COLLEGE AUTHORITY

Appropriation, supplemental, trade schools and junior colleges—
HB 720, pages 881, 1031, 1895

University of Alabama Huntsville branch, issuance of bonds for construction of school of medicine at—
SB 265, page 260

ALABAMA PUBLIC SERVICE COMMISSION

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Common and contract carriers, regulating leasing of motor vehicles
by and to—
SB 392, page 480

Decisions of, time limitation for making—
HB 581, pages 1748, 1799

Electric utility companies, prohibited from charging fees for connecting or disconnecting certain equipment—
SB 31, page 14

Employees, appointment and qualifications of—
HB 579, pages 1149, 1805

Employees operating locomotives, trains, and yard engines, qualifications of—
SB 370, page 474

Gas utility companies, prohibited from charging fees for connecting or disconnecting certain equipment—
SB 32, page 14

Meetings and record of proceedings of—
HB 580, pages 1748, 1799

Railroad caboose or rider cars, requiring certain safety equipment on—
HB 877, pages 848, 969, 1060, 1210
SB 371, page 474

Railroad safety and sanitation inspector, appointment of—
SB 28, page 13

Telephone companies, charging of fees for transfer of service from one customer to another—
SB 29, page 13

Water utility companies, prohibited from charging fees for connecting or disconnecting certain equipment—
SB 30, page 14

ALABAMA REAL ESTATE COMMISSION

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

ALABAMA SPECIAL MENTAL HEALTH FUND

Amount of tax on alcoholic beverages credited to—
HB 1141, pages 1739, 1802, 2083, 2114

ALABAMA STATE BAR ASSOCIATION

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

ALABAMA STATE COLLEGE FOR NEGROES

Center at Mobile, development into junior college—

HB 140, pages 1377, 1560, 2082, 2112

SB 254, pages 226, 321

Operating statement and consolidated fund balance sheet, annual,
filing of—

HB 634, page 1747

Speakers at, regulating visitation of—

HB 973, pages 1081, 1264, 1362

SB 431, page 620

SB 443, page 622

ALABAMA STATE DOCKS DEPARTMENT

Abolished—

SB 116, page 45

SB 117, page 45

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Appropriation, reimbursement of funds spent on dredging channel
from Perdido bay to the gulf—

SB 243, page 222

ALABAMA STATE HOSPITALS

Alabama special mental health fund, amount of tax on alcoholic
beverages credited to—

HB 1141, pages 1739, 1802, 2083, 2114

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Governor's appointment Board of Trustees, page 1127

Inmates of, liability of persons responsible for care and support of—

HB 1077, pages 1189, 1343

Mental health, creating single state agency to coordinate activities
related to—

HB 699, pages 1269, 1557, 1897, 1914, 1935, 1953, 1969, 2115, 2130

SB 352, pages 430, 901

Merit system for, establishment of—

HB 703, pages 1524, 1694, 1862, 1958

Message from Governor re: Merit System for, page 1214

ALABAMA TUBERCULOSIS ASSOCIATION

Grimley, K. W., commended—

SJR 20, page 215

ALABASTER, TOWN OF

Boundaries altered—

HB 789, pages 636, 697, 982, 1200

ALCOHOLIC BEVERAGES

Beer, license fee for retailers of—

HB 368, pages 1669, 1694

Counties 115,000 to 160,000 population, regulating sale of—

HB 514, pages 379, 542, 725, 1040, 1394

SB 263, pages 260, 322, 449, 615, 619, 685

Counties 300,000 to 600,000 population, sale and distribution of draft beer—

SB 566, pages 1079, 1195, 1426

Counties 600,000 population or more, sale and distribution of draft beer—

HB 1184, pages 1442, 1503, 1936, 2007, 2101

Counties 600,000 population or more, tax levied on—

HB 483, pages 409, 537, 722, 942, 1316, 1548

Filing fees paid by persons or firms selling Alabama to alcoholic beverage control board, distribution of proceeds of—

SB 161, pages 81, 1347

Minors, penalty for purchasing, consuming, or transporting—

SB 494, pages 839, 932, 1485, 1998, 2094, 2134

Population basis for municipalities in distribution of proceeds of taxes on—

HB 1221, pages 1741, 1799

SB 577, page 1144

Unlawful sites for sale of, prescribed—

SB 176, pages 131, 932

ALEXANDER, CHERYL

Commended—

HJR 180, pages 1996, 2102

ALIMONY

Garnishment for collection of, exemption of wages on writ of—

SB 411, page 572

Maximum amount to be granted, prescribed—

SB 570, page 1079

ALLEN, LIEUTENANT GOVERNOR JAMES B.

Commended—

SR 63, page 1806

Statement by—relative to adjournment of two houses, page 39

Statement by—relative to SB 2, page 546

ALMON, ROBERT LEE

Mourning death of—

HJR 151, pages 1711, 1881

AMERICAN HISTORY MONTH

Designation of—

HJR 134, pages 1321, 2122, 2132

AMPHETAMINES

Sale or possession of, penalties for violation of laws regulating—
HB 294, pages 799, 1557

ANDERSON, CLYDE W.

Mourning death of—
HJR 128, pages 1324, 1547
SJR 50, page 1134

ANDREWS, LAWRENCE K.

Wishing speedy recovery of—
SR 3, page 47

ANDREWS, MRS. WALTER WELD

Extending congratulations to—
HJR 21, page 215

ANIMALS

See also: CATTLE; LIVESTOCK; name of specific animal—

Abusive treatment of, prohibited—
SB 426, page 619

Dogs, vaccination against rabies, and confinement of dogs which
have bitten human beings—
SB 121, pages 54, 677, 1468, 1875, 1896, 2133

Livestock market, public, prohibiting sale of livestock near—
SB 41, pages 16, 243

Mobile County and city of Mobile, appointment and compensation
of assistant humane officer—
HB 408, pages 417, 693, 979, 1198

Weapon or other device used for capturing or immobilizing, registra-
tion of—
HB 415, pages 1305, 1693

ANNISTON, CITY OF

Ad valorem tax for school purposes, levy of, CA—
SB 186, page 135, 235, 273, 549, 568, 617

Firemen, working hours of—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

ANTIQUE VEHICLES

Licensing and registration of—
HB 15, pages 580, 885
SB 80, page 24

APIARIES

Licensing and regulation of—
HB 653, pages 795, 974, 1808, 1958
SB 194, pages 136, 243

APPALACHIAN REGIONAL DEVELOPMENT PROGRAM

Appropriation for use in administering—
HB 655, pages 1110, 1349, 2079, 2113

APPEALS

Children, time limitation for appeals from decrees affecting custody of—

HB 226, pages 210, 1029

SB 104, pages 33, 200, 348, 1863, 1896, 2132

Contempt of court, appeals from judgments for—

SB 567, page 1079

Indigent convicted defendants, appropriation for appeals by—

HB 165, pages 1745, 1798

Justices of the peace, appeals to the circuit court—

SB 207, page 163

Recorders' court, assessment of solicitor's fees on appeals of judgments rendered in—

HB 85, pages 793, 920, 1468, 1576

SB 53, pages 18, 241, 1469

APPEALS, COURT OF

See: COURT OF APPEALS

APPROPRIATION

Ad valorem tax assessment appeals, payment of court costs in—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Advisory committee for economic opportunity—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Aeronautics department, state

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80.

Agricultural and industrial exhibit commission—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Agricultural center board, aid of fat stock show—

SB 62, page 21

Agricultural center board, construction of agricultural center facility in Pike County—

HB 170, pages 634, 1350, 1814, 1957

Agricultural center board, construction of building in Baldwin County—

HB 745, page 1741

Agriculture and industries, state department of, control and use of pesticides—

HB 1006, pages 1741, 1798

SB 433, page 620

Alabama boys' industrial school—

HB 820, pages 1110, 1351

SB 497, page 894

Alabama college, educational television facilities—

SB 215, page 164

APPROPRIATION (Continued)

Alabama-Coosa river improvement association, incorporated—
HB 891, pages 1444, 1694
SB 475, pages 831, 1348

Alabama educational television commission—
HB 864, page 1240
SB 366, page 472

Alabama industrial school for negroes—
HB 864, page 1240
SB 366, page 472

Alabama institute for deaf and blind—
HB 864, page 1240
SB 366, page 472

Alabama institute of aviation technology, capital outlay—
HB 1203, page 1748

Alabama public library service—
HB 800, pages 1438, 1694
SB 416, pages 573, 917

Alabama state docks department—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Alabama state docks department, reimbursement for dredging channel—
SB 243, page 222

Alabama state hospitals—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Appalachian regional development program, for use in administering—
HB 655, pages 1110, 1349, 2079, 2113

Archives and history, state department of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Armory commission—
HB 401, pages 1118, 1346, 2073, 2097, 2130
SB 158, page 80

Arrest of absconding felons—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Attorney general—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Attorney general, supplemental—
HB 403, pages 1110, 1346, 2081, 2113
SB 169, pages 81, 202, 884

Attorneys' fees in indigent capital cases, payment of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Auditor, state—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

APPROPRIATION (Continued)

- Automatic appeal expense—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Bang's disease control—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Banking department, state—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Barbour and Henry Counties, mineral resources survey of—
SB 204, page 162
- Bear creek watershed association—
HB 399, pages 768, 887, 1691, 1882
SB 163, page 81
- Blue and gray football game—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Board of adjustment, state—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Board of education, state—
SB 395, pages 480, 884, 1874, 1928, 2133
- Board of education, state, for allocation to local boards for transportation expense—
SB 445, page 622
- Board of medical scholarship awards, state—
HB 391, pages 1109, 1559, 2083, 2113
SB 166, pages 81, 1347
- Board of nursing and advisory council for practical nursing—
SB 210, pages 163, 543, 1487, 1561, 1866, 1927, 2133
- Boards of equalization, expenses of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Building commission, state—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Bureau of publicity and information, state—
HB 709, pages 633, 1348
- Bureau of publicity and information, state, operation of tourist welcome centers—
HB 1202, pages 1446, 1914
SB 569, pages 1079, 1349
- Cahaba historical commission—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Campbell, James L., relief of—
HB 9, pages 1233, 1347, 1646, 1882

APPROPRIATION (Continued)

Choccolocco creek watershed association—

HB 398, pages 1110, 1346, 2080, 2113

SB 165, page 81

Circuit courts—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Civil defense, state department of—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Code of Alabama 1940 amended, purchase of supplements to—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Coliseum, state, payment of expenses of—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Commission on aging—

HB 159, pages 548, 670, 899, 1197

SB 402, page 485

Commission on education with respect to alcoholism—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

SB 510, pages 924, 1348

Commission on intergovernmental cooperation, state—

HB 892, pages 1444, 1560, 2091, 2097, 2130

Commission on uniform state laws—

HB 48, pages 794, 917, 2081, 2112

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 40, page 16

SB 157, page 80

Commission to preserve the peace—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Committee on employment of the handicapped—

HB 201, pages 578, 672, 900, 1196

SB 113, page 40

Conservation, state department of—

HB 401, pages 1118, 1346, 2073, 2097, 2130

SB 158, page 80

Conservation, state department of, capital outlay—

SB 582, page 1245

Conservation, state department of, for purpose of qualifying under federal land and water conservation fund act—

SB 337, page 320

Conservation, state department of, marking of river channel in Weiss lake—

HB 349, page 1239

SB 255, page 226

Conservation, state department of, parks division, for capital outlay—

SB 464, page 717

SB 465, page 718

APPROPRIATION (Continued)

Conservation, state department of, survey of state-owned lands—
SB 24, page 10

Coosa and Tennessee river basins, survey of mineral, water, and
petroleum resources of—
SB 211, page 163

Coosa river basin, mineral, water, and petroleum resources of coun-
ties within—
SB 76, pages 24, 671

Council of state governments—
HB 395, pages 1109, 1346, 2079, 2113
SB 159, page 80

Court of appeals—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Court reporters, compensation of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Debt service—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

DeKalb County, city of Fort Payne, construction of high school—
SB 129, pages 61, 1030

DeKalb County, city of Fort Payne, construction of public library—
SB 130, page 61

DeKalb County, town of Fyffe, construction of auditorium in—
SB 130, page 61

DeSoto state park, construction of camp site at—
SB 132, page 62

Education, state department of—
HB 864, page 1240
HB 1140, pages 1739, 1802, 2084, 2114
SB 366, page 472

Education, state department of, supplemental—
HB 864, page 1240
SB 533, pages 959, 1347

Election expenses—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Elk river development authority—
SB 229, page 209

Employees' retirement system—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Employees, state, expenses of insurance program—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Examiners of public accounts, state department of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

APPROPRIATION (Continued)

Fair authority, state, construction of livestock exhibit building—
SB 259, pages 250, 671

Farmers' market authority—
HB 390, pages 1021, 1345, 2011, 2103, 2128
HB 401, page 1118, 1346, 2073, 2097, 2130
SB 157, page 80
SB 158, page 80

Field notes revolving fund—
HB 315, pages 358, 885

Finance, state department of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

First white house of the confederacy—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Fort Morgan historical commission—
SB 446, page 622

Gaineswood, purchase and operation as historical site—
SB 224, pages 209, 885

General appropriation bill—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Geologist, state—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Gorgas memorial board—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Governor, operation of office of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Governor, proclamations of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Governor's emergency, contingency, and mansion funds—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Governor's mansion at Gulf Shores, payment of construction and materials for—
SB 478, pages 833, 1031

Guntersville boat races—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Hall of fame board—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Health department, state—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

APPROPRIATION (Continued)

Huntingdon College, Spring Hill College, Judson College, Howard College, Birmingham Southern College, Athens College, Tuskegee Institute, Talladega College, and Snead College, construction of chapel on campus of—
SB 151, page 77

Industrial relations, state department of, acquisition of parking facilities—
HB 674, pages 1110, 1347
SB 226, pages 209, 964

Jackson County, establishment of a tuberculosis sanatorium—
SB 459, pages 691, 1031, 1392, 1876, 1926, 2133

Jefferson County board of education, construction of facilities at Hall Kent school—
HB 713, pages 1081, 1348

Jefferson County board of education, for experimental classes for emotionally disturbed children—
HB 770, pages 1152, 1348, 1677, 1883

Jesse Earl Speight Mall, installation of plaques in—
SB 90, pages 26, 264, 322, 1736, 1758, 1915, 2111

Judges, supernumerary, compensation of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Legislative reference service—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Legislature—
SB 185, pages 135, 233, 322, 463, 465, 566, 617

Licenses, privilege, printing of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Marengo County board of education, reconstruction of John Essex school—
HB 144, pages 323, 670, 1484, 1485, 1486, 1678, 1679, 1712, 1733, 1740, 1818, 1956

Marion military institute—
SB 144 pages 72, 203, 264

Mobile junior miss pageant—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Mountain Lakes Association—
SB 432, pages 316, 372, 976

Nuclear development of the south—
HB 397, pages 1117, 1346, 2080, 2113
SB 164, page 81

Oil and gas board, state—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

APPROPRIATION (Continued)

- Parks, monuments, and historical sites, division of, payment of death benefit claims accruing against—
HB 1255, pages 1739, 1802
SB 586, page 1249
- Poultry disease control—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Prisoners, feeding of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Prisoners, removal of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Public documents, distribution of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Public safety, state department of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Public safety, state department of, for capital outlay purposes—
HB 1027, pages 1232, 1351
- Public safety, state department of, supplemental—
HB 400, pages 553, 887, 1134, 1219, 1266, 1367
SB 156, pages 80, 265, 1582
- Public school fund—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Resources advisory board, southeast river basins—
HB 95, pages 357, 1195, 2081, 2112
- Richmond Pearson Hobson memorial board—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Scholarships at state institutions of higher learning—
HB 1059, pages 1669, 1802
SB 506, pages 923, 1559
- Secretary of state, photographic reproduction of certain records of—
HB 318, pages 580, 885
- Shipping point inspection fund—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Snead Junior College—
SB 175, pages 82, 203, 266
- Social security, state's share of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Soil conservation committee, state—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

APPROPRIATION (Continued)

Southern regional education board, commission on mental illness—
HB 396, pages 1110, 1346, 2080, 2113
SB 162, page 81

Southern university, establishment of museum on site of—
SB 252, page 226

Sovereignty commission, state—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

State training school for girls—
HB 864, page 1240
SB 366, page 472

Supreme court, state—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Tax notices, mailing of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Tax sales, advertising lands for—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Temperance education—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Tennessee river basin, mineral, water, and petroleum resources of
counties within—
SB 76, pages 24, 671

Tennessee valley fat stock show—
SB 4, pages 6, 1030

University of Alabama, establishment of dental scholarship—loan
and awards program—
HB 586, pages 1111, 1349, 1818, 1957
SB 235, pages 220, 266

University of Alabama, graduate school for social workers—
HB 864, page 1240
SB 366, page 472

University of south Alabama—
HB 864, page 1240
SB 366, page 472

Veterans of World War I, World War II, and Korean conflict, pay-
ment of bonus to—
SB 232, page 219

Voters, registration of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Wesson, Wilburn Frank, relief of—
HB 438, pages 490, 672, 1815, 1957

White-fringed beetle control—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

ARCHITECTS

Board of registration for architects, state, regulating organization and operation of—
SB 244, pages 222, 885

State board of registration for, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

ARCHIVES AND HISTORY, STATE DEPARTMENT OF

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

ARDMORE, TOWN OF

Boundaries altered—
SB 495, pages 839, 971, 1065, 1366, 1430, 1680, 2134

ARMORY COMMISSION

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
HB 401, pages 1118, 1346, 2073, 2097, 2130
SB 157, page 80
SB 158, page 80

ARMY AND SPACE EXHIBITS COMMISSIONS

Creation of—
HB 1061, pages 1227, 1354, 2067, 2096, 2132
SB 524, pages 952, 1132

Creation of, CA—
HB 1060, pages 1226, 1354, 2071, 2096, 2131
SB 525, pages 953, 1132

ARMY CORPS OF ENGINEERS, UNITED STATES

Commended—
SJR 2, pages 40, 138, 159, 425

ARTHROPODS

Counties 300,000 to 600,000 population, creation of arthropod control board—
HB 1256, pages 1658, 1696, 1851, 1963, 2009, 2102
SB 587, pages 1249, 1512, 1641

ASSAULT AND BATTERY

Children under sixteen, penalty for assault and battery upon—
SB 325, page 314

Penalty for—
HB 233, pages 768, 1805

ASSESSMENT

See also: AD VALOREM TAX; BOARD OF EQUALIZATION; REAL PROPERTY; TAXATION

Assessed property valuation among the counties, providing for equalization of—
SB 440, page 621

ASSESSMENT (Continued)

- Assessment of property for taxation, regulated—
SB 246, page 222
- Autauga County, compensation of members of board of equalization—
HB 710, pages 552, 696, 739, 942
- Bibb County, compensation of members of board of equalization—
SB 612, pages 1569, 1697
- Board of equalization, appointment of members—
SB 441, page 621
- Board of equalization, expenses of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Board of equalization, term of service and compensation of members—
SB 442, page 622
- Counties 21,850 to 21,950 population, compensation of members of board of equalization—
HB 543, pages 400, 543, 614, 817
- Counties 25,500 to 25,700 population, expense allowance for members of board of equalization—
HB 1214, pages 1522, 1695, 1848, 1960
- Counties 31,500 to 33,500 population, expense allowance for members of board of equalization—
HB 1210, pages 1379, 1505, 1619, 1729, 1879
- Counties 38,000 to 45,000 population, compensation of members of board of equalization—
SB 460, pages 691, 826, 1016, 1366, 1429, 1679
- Counties 100,000 to 115,000 population, compensation of members of board of equalization—
HB 532, page 384
- Counties 110,000 to 160,000 population or more, assessment of property for ad valorem taxes—
HB 1213, pages 1390, 1510, 1636
SB 576, pages 1144, 1357, 1571
- Counties 300,000 to 600,000 population, determination of ratio percentage used in establishing assessed values from appraised values of property—
HB 1015, pages 1371, 1512, 1640, 1884
SB 509, pages 923, 1036, 1410
- Cullman County, expense allowance for members of board of equalization—
HB 1113, pages 1303, 1508, 1625, 1886
SB 471, pages 814, 965, 1048
- Escambia County, compensation of members of board of equalization—
HB 991, pages 1095, 1192, 1633, 1883
- Washington County, expense allowance for members of board of equalization—
HB 186, pages 193, 237, 283, 458

ATHENS COLLEGE

Appropriation, construction of chapel on campus of—
SB 151, page 77

ATTORNEY GENERAL, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Appropriation, supplemental—
HB 403, pages 1110, 1346, 2081, 2113
SB 169, pages 81, 202, 884

Compensation—
HB 404, pages 1742, 1799, 2090, 2130
SB 414, pages 573, 669

Official seal for, providing for custody and use of—
SB 545, pages 1023, 1342

Succession to office, CA—
SB 101, page 27
SB 218, page 165
SB 415, page 573

ATTORNEYS

Board of commissioners of the state bar, powers and authority of—
HB 1029, page 1156

Public assistance recipients, appointment and removal of legal
representative to manage payments to—
SB 106, pages 34, 54, 257, 268, 1862, 1896, 2133

AUBURN, CITY OF

Ad valorem tax, authorizing levy of, CA—
HB 1132, pages 1272, 1504, 1615, 1792

AUBURN UNIVERSITY

Appropriation, supplemental—
HB 864, page 1240

"Berta Catherine Dunn Dormitory," designation of—
HJR 75, pages 531, 615

"Caroline Draughon Village," designation of—
HJR 13, pages 97, 158, 564, 615

Liability insurance for employees of, authorized—
HB 965, pages 1233, 1351

Operating statement and consolidated fund balance sheet, annual,
filing of—
HB 634, page 1747

Philpott, doctor Harry M., extending welcome to—
SJR 11, pages 63, 103, 137, 156

"Ralph Brown Draughon Library," designation of—
HJR 11, pages 98, 158

"Roy B. Sewell Dormitory," designation of—
HJR 14, pages 97, 158

AUBURN UNIVERSITY (Continued)

Speakers at, regulating visitation of—
HB 973, pages 1081, 1264, 1362
SB 431, page 620
SB 443, page 622

“Zoe Dobbs Dormitory,” designation of—
HJR 74, pages 530, 615

AUDITOR, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Compensation—
HB 402, pages 1311, 1559, 1759, 1883
SB 205, pages 162, 266, 1475

Office abolished—
SB 47, pages 17, 127

Office abolished, CA—
SB 45, pages 17, 126

Succession to office, CA—
SB 101, page 27

AUTAUGA COUNTY

Board of education, meeting days of—
HB 1086, pages 1504, 1618, 1791

Board of equalization, compensation of members—
HB 710, pages 552, 696, 739, 942

Board of registrars and other governmental agencies, office space,
supplies, and equipment—
HB 1087, pages 1308, 1504, 1617, 1790

Deer, regulating hunting of—
SB 429, pages 620, 694, 731, 1863, 1897, 2133

Fishing regulated—
SB 428, pages 620, 693, 730
SB 456, pages 690, 718, 992

Judge of probate, circuit clerk, register, sheriff, tax assessor, and tax
collector, payment of premium on bond of—
HB 1088, pages 1310, 1504, 1617, 1790

Solicitor, circuit, fund created for use of—
HB 359, pages 1189, 1356, 1589, 1784

AUTOMOBILE CLUBS

Licensing and regulation of—
SB 7, pages 6, 672, 1518

BAILIFFS

Counties 96,000 to 106,000 population, compensation—
HB 758, pages 763, 822, 1004
SB 233, pages 220, 252, 295, 627, 679, 716

Counties 110,000 to 160,000 population, family court divisions of the
circuit court, compensation—
HB 517, pages 380, 542, 725, 978
SB 192, pages 136, 235, 274, 550, 569, 617

BALDWIN COUNTY

Ad valorem tax for hospitals, authorizing levy of, CA—
HB 1159, pages 1376, 1510, 1632, 1730, 1880

Appropriation, construction of building for industrial and agricultural displays—
HB 745, page 1741

Bay Minette, city of, boundaries altered—
HB 1096, pages 1374, 1509, 1937, 1975

Board of registrars, meeting days and compensation of members—
HB 1163, pages 1378, 1512, 1640, 1887

Boundaries altered—
HB 979, pages 1147, 1558

Deer, regulating hunting of—
HB 801, pages 790, 972, 1069, 1584, 1785

Judge, circuit, expense allowance—
HB 849, pages 750, 972, 1069
HB 903, pages 927, 972, 1069, 1399, 1549

Judge of probate, circuit clerk, register, sheriff, tax assessor, tax collector, and coroner, compensation and clerical assistance—
HB 1090, pages 1743, 1801, 1971, 1999, 2101

Judge of probate, circuit clerk, sheriff, register, tax assessor, and tax collector, compensation and clerical assistance, CA—
HB 708, pages 552, 718, 994, 1202

Jurors, compensation—
HB 1095, pages 1373, 1509, 1632, 1886

Sheriff, compensation of deputies—
HB 1092, pages 1372, 1509, 1631, 1886

Sheriff, fee for issuance of pistol permit—
HB 1094, pages 1373, 1509, 1631, 1886

Voters, reidentification of—
HB 884, pages 767, 972, 1067, 1204

BALDY, T. A.

Winston County, relief of—
HB 1225, pages 1528, 1698, 1856, 1962

BALLOTS

Candidates, printing of names on—
HB 100, pages 1151, 1343

BANG'S DISEASE

Appropriation, control of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

BANKING DEPARTMENT, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Governor appoints members of State Banking Board—
Page 214, 1582

BANKS AND BANKING

Coffee County, authorizing savings and loan associations to establish branch offices—
SB 152, pages 77, 234, 272, 549, 568, 617

Counties 36,600 to 37,600 population, branch banks authorized—
HB 1125, pages 1296, 1504, 1618, 1791
HB 1276, pages 1722, 1802
SB 608, pages 1457, 1552, 1683, 1967, 2092, 2134

Counties 36,600 to 37,600 population, regulating establishment of branch banks—
SB 535, pages 960, 1033, 1396

DeKalb County, branch banks authorized—
SB 358, pages 441, 534, 720

DeKalb County, town of Geraldine, branch banks authorized—
SB 400, pages 483, 826, 1016

Fees for doing business, assessment, collection, and use of—
SB 39, pages 16, 46, 257, 900, 1231, 1245, 1451

Funds credited to depositor's account through error, penalty for withdrawal of—
SB 36, pages 15, 533, 1483, 1877, 1926, 2133

Funds of state, counties, municipalities, boards of education, and improvement authorities, authorized to pledge acceptable assets as security for—
HB 202, pages 767, 919, 1644, 1729, 1879
SB 19, pages 10, 266

Jackson County, branch banks authorized—
SB 608, pages 1457, 1552, 1683, 1967, 2092, 2134

Lamar County, branch banks authorized—
HB 822, pages 747, 822, 1006, 1200

Public funds, qualification of certain lending agencies for deposits of—
SB 474, pages 831, 1559

Randolph County, branch banks authorized—
HB 1156, pages 1369, 1504, 1617, 1791

Reserve required to be carried—
SB 38, pages 16, 46, 256, 1150, 1217, 1450

Savings and loan associations, levy and collection of recording tax on mortgages applicable to, or paid by—
SB 72, page 72

Savings and loan deposits in two names, payment of principal and interest—
HB 66, pages 1746, 1804
SB 73, page 23

Uniform commercial code, adoption of—
SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, 1863, 1873, 1916

Washington County, branch banks authorized—
HB 540, pages 436, 543, 613, 817

BAR, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

BARBERS AND BARBER COLLEGES

Butler County, licensing and regulation of—

HB 464, pages 392, 536, 600, 624

Etowah County, compensation of members of barbers' commission—

HB 74, pages 141, 239, 289, 457

Etowah County, fees for issuance or renewal of licenses by barbers' commission—

HB 75, pages 142, 240, 290, 457

BARBITURATES

Laws relating to, penalty for violation of—

HB 289, page 793

BARBOUR COUNTY

Board of revenue, election of members—

SB 60, pages 21, 38, 42, 137, 153, 156

Mineral resources survey of, appropriation for—

SB 204, page 162

BAY MINETTE, CITY OF

Boundaries altered—

HB 1096, pages 1374, 1509, 1937, 1975

BEAMS, STANCIL L.

Tuscaloosa County, relief of—

HB 1024, pages 1118, 1506, 1622, 1792

BEAR CREEK DEVELOPMENT AUTHORITY

Incorporation of—

HB 449, pages 491, 886, 1689, 1730, 1879

Incorporation of, CA—

HB 450, pages 493, 867, 1691, 1891

BEAR CREEK WATERSHED ASSOCIATION

Appropriation—

HB 399, pages 768, 887, 1691, 1882

SB 163, page 81

BEASLEY, MARY HEARN

Congratulated on being selected as "Alabama Poultry Queen"—

SJR 19, page 214

BEAVERTON, TOWN OF

Boundaries altered—

HB 1028, pages 1105, 1195, 1425, 1578

BEER

Counties 300,000 to 600,000 population, sale and distribution of—
SB 566, pages 1079, 1195, 1426

Counties 600,000 population or more, sale and distribution of draft
beer—
HB 1184, pages 1442, 1503, 1936, 2007, 2101

License fees for retailers of—
HB 368, pages 1669, 1694

Minors, penalty for purchasing, consuming, or transporting—
SB 494, pages 839, 932, 1485, 1998, 2094, 2134

BEES

Honeybees, eradication and control of diseases of—
SB 194, pages 136, 243

BENNIE PILLS

Amphetamines, penalty for violation of laws regulating sale or
possession of—
HB 294, pages 799, 1557

BERTA CATHERINE DUNN DORMITORY

Designation of—
HJR 75, pages 531, 615

BILLS OF LADING

Uniform commercial code, adoption of—
SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, 1863,
1873, 1916

BIRMINGHAM, CITY OF

Ad valorem tax, authorizing levy of, CA—
HB 1051, pages 1183, 1358, 1592, 1783

Civic center in, establishment of—
HB 1176, pages 1461, 1554, 1686, 1888
SB 558, pages 1025, 1129, 1427

Civic center in, establishment of, CA—
HB 1178, pages 1440, 1502, 1616, 1793
SB 558, pages 1025, 1129, 1427

Councilmen, compensation of—
HB 491, pages 413, 540, 605, 625
HB 1052, pages 1183, 1553, 1685, 1886
SB 297, pages 303, 367, 608

Councilmen, filling vacancies in office of—
HB 502, pages 419, 541, 608, 626
SB 302, pages 304, 368, 608

Explosives, training of firemen and policemen in disarming or
neutralizing of—
HB 1180, pages 1441, 1500, 1629, 1889

Firemen, authority to make arrests—
HB 1181, pages 1441, 1500, 1629, 1889

Firemen, defining injuries incurred in the line of duty—
HB 1182, pages 1441, 1501, 1630, 1889

BIRMINGHAM, CITY OF (Continued)

Firemen, working hours of—

HB 722, pages 1737, 1803

SB 260, pages 250, 1031

Governing body, expense allowance for members of—

HB 492, pages 414, 540, 605, 626

SB 298, pages 303, 367, 608

Governing body, regulating meetings of—

HB 493, pages 417, 540, 606, 626

SB 299, pages 303, 368, 608

Mayor and councilmen, filing of statements of candidacy for office of—

HB 494, pages 419, 494, 606, 626

SB 300, pages 303, 368, 608

Mayor, authorizing chief administrative assistant to—

HB 500, pages 419, 541, 607, 626

SB 296, pages 303, 367, 608

Mayor, filling vacancy in office of—

HB 496, pages 419, 540, 607, 626

SB 301, pages 303, 368, 608

Ordinances or resolutions, providing for adoption by petition and referendum—

HB 499, pages 435, 541, 722, 1124, 1197

Ordinances or resolutions, providing for repeal by petition and referendum—

HB 498, pages 419, 541, 1935

Pension and relief fund, composition of board of managers for—

HB 1262, pages 1658, 1697, 1853, 1964

Policemen and firemens' pension and relief system, benefits under—

HB 554, pages 503, 695, 734, 943

Recorder, power to require appeal bond in certain cases—

HB 1183, pages 1442, 1501, 1612, 1790

BIRMINGHAM SOUTHERN COLLEGE

Appropriation, construction of chapel on campus of—

SB 151, page 77

BLIND PERSONS

Dog guide authorized to accompany blind person to any place of public accommodation—

SB 589, page 1250

BLOUNT COUNTY

Boundaries altered—

SB 503, pages 915, 973, 1069

Court of county commissioners, election, compensation, and expense allowance for members of—

SB 477, pages 832, 965, 1066, 1522, 1568

Register, compensation of clerk—

HB 1158, pages 1286, 1508, 1627, 1887

SB 543, pages 963, 1130, 1414, 1820, 1837, 1916

BLOUNT COUNTY (Continued)

Superintendent of education, compensation and expense allowance—

HB 459, pages 399, 536, 600

HB 544, page 525

SB 281, pages 262, 322, 448

SB 326, pages 314, 371, 443, 614, 616, 685

BLUE AND GRAY FOOTBALL GAME

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

BOARD OF ADJUSTMENT, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

BOARD OF CHIROPRACTIC EXAMINERS, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

BOARD OF COMMISSIONERS

Choctaw County, election of members by district—

SB 33, pages 14, 46, 128, 1522, 1568, 1680

Madison County, authorizing payment of certain claims against the county—

HB 1137, pages 1274, 1510, 1637, 1887

SB 541, pages 961, 1033, 1396, 1659, 1703, 1915

BOARD OF COMMISSIONERS OF THE STATE BAR

Powers and authority of—

HB 1029, page 1156

BOARD OF CORRECTIONS, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Bonds for construction of prison and correctional facilities, issuance of—

SB 216, pages 164, 231, 909, 921, 936, 1235, 1917, 1928, 2134

Bonds for construction of prison and correctional facilities, issuance of, CA—

SB 217, pages 165, 232

Commissioner and deputy commissioners, compensation—

HB 917, pages 1230, 1351, 1807, 1959

SB 455, pages 689, 884

Governor appoints members, pages 1214, 1580

Prison made goods, state agencies and institutions authorized to purchase—

HB 915, pages 1229, 1351, 1807, 1959

SB 453, pages 689, 884

BOARD OF COSMETOLOGY, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

BOARD OF COUNTY COMMISSIONERS

Escambia County, expense allowance for members of—
HB 1240, pages 1663, 1695, 1848, 1963

BOARD OF DENTAL EXAMINERS, STATE

Alabama dental service corporation act, enactment of—
HB 307, pages 1747, 1803
SB 236, pages 220, 266

Dentists and dental hygienists, fee for annual registration of—
HB 427, pages 1191, 1354
SB 193, pages 136, 201

BOARD OF EDUCATION, CITY

See also: EDUCATION; SCHOOLS; SUPERINTENDENT OF EDUCATION; name of specific city or town—

Compliance agreements, urged not to sign—
HJR 7, page 34

Counties 60,500 to 65,000 population, selection of textbooks—
HB 456, pages 343, 373, 592, 616, 1125
SB 245, pages 222, 267, 593

Counties 76,000 to 96,000 population, agreement with federal agencies for operation of schools on military bases—
HB 906, pages 1085, 1193, 1423, 1576

Deaf children, appropriation for education of—
SB 561, pages 1028, 1349

Exceptional children, including emotionally disturbed children in educational program for—
HB 963, page 1153
HB 964, page 1153

Minimum school program, additional appropriation for—
SB 367, page 472

Operating statement and consolidated fund balance sheet, annual, filing of—
HB 634, page 1747

Pickens County, abolishing teacher tenure—
SB 447, pages 686, 826, 1017, 1680

School institutes, regulating holding of—
HB 893, pages 1148, 1693

Schools, private, authorizing financial assistance to—
SB 137, pages 66, 265

Schools, private, authorizing financial assistance to, CA—
SB 136, page 66

Talladega, city of, requesting that auditorium be named after superintendent Frank Harwell—
SJR 12, pages 71, 138, 159, 425

BOARD OF EDUCATION, CITY (Continued)

Teacher units allowed under the minimum school program, number of—
SB 258, page 250

Teachers' salaries, calculating allotments for—
HB 1170, pages 1446, 1560

Tuition grant for attendance at private school, provided for—
SB 394, pages 480, 884, 1431, 1452, 1894, 1928, 2133

BOARD OF EDUCATION, COUNTY

See also: EDUCATION; SCHOOLS; SUPERINTENDENT OF EDUCATION; name of specific county

Autauga County, meeting days of—
HB 1086, pages 1504, 1618, 1791

Butler County, attendance of non-resident school pupils at school at town of McKenzie—
SB 353, pages 430, 534, 976, 1267, 1368, 1451

Compliance agreements, urged not to sign—
HJR 7, page 34

Coosa County, abolishing teacher tenure—
HB 468, page 522

Counties 10,800 population or less, compensation of members—
HB 250, pages 210, 973, 1068, 1208

Counties 13,500 to 14,000 population, insuring of school buildings—
SB 468, pages 813, 965, 1047

Counties 14,400 to 14,900 population, compulsory retirement age for teachers—
HB 438, pages 490, 672, 1815, 1957

Counties 19,500 to 20,000 population, insuring of school buildings—
SB 467, pages 812, 965, 1046, 1833, 1865, 2133

Counties 22,000 to 23,500 population, adoption of textbooks—
SB 439, pages 621, 698, 983, 1312, 1368, 1451, 1473, 1672, 1702, 1915

Counties 24,800 to 25,400 population, expense allowance for members—
HB 843 pages 768, 821, 1001, 1209

Counties 25,800 to 26,700 population, selection of textbooks and instructional material—
HB 966, pages 878, 1034, 1401, 1549, 1834, 1964

Counties 26,000 to 27,000 population, compensation and expense allowance for members of—
HB 1136, pages 1274, 1503, 1682, 1887

Counties 31,000 to 32,000 population, compensation of members—
HB 458, pages 343, 536, 592, 616

Counties 38,000 to 45,000 population, compensation of janitors—
SB 461, pages 691, 825, 1015

Counties 55,000 to 60,000 population, compensation of members—
HB 866, pages 757, 970, 1061, 1210

BOARD OF EDUCATION, COUNTY (Continued)

Counties 76,000 to 96,000 population, compensation of members—
HB 463, pages 631, 699, 741, 937, 943

Counties 76,000 to 96,000 population, selection of textbooks—
HB 13, pages 138, 236, 275, 456, 915, 1197

Counties 96,000 to 106,000 population, selection of textbooks—
HB 1243, pages 1653, 1696, 1849, 1963
SB 594, pages 1256, 1504, 1571, 1821, 1838, 1916, 1949, 1986, 2091,
2134

Deaf children, appropriation for education of—
SB 561, pages 1028, 1349

Exceptional children, including emotionally disturbed children in
educational program for—
HB 963, page 1153
HB 964, page 1153

Fayette County, compensation of members—
HB 1119, pages 1291, 1513, 1642, 1886

Greene County, abolishing teacher tenure—
HB 761, page 648

Greene County, compensation of members—
SB 249, pages 224, 251, 350

Jefferson County, appropriation for construction of facilities at Hall
Kent school—
HB 713, pages 1081, 1348

Jefferson County, appropriation for experimental classes for emo-
tionally disturbed children—
HB 770, pages 1152, 1348, 1677, 1883

Limestone County, authorizing construction of administrative build-
ing—
HB 645, pages 509, 824, 1011, 1206

Madison County, selection of textbooks—
HB 1133, pages 1275, 1510, 1635, 1887
SB 540, pages 960, 1033, 1396, 1659, 1703, 1915, 1946, 1988, 2095,
2134

Marengo County, appropriation for reconstruction of John Essex
school—
HB 144, pages 323, 670, 1484, 1485, 1486, 1678, 1679, 1712, 1733,
1740, 1818, 1956

Marengo County selection of textbooks—
SB 318, pages 311, 533, 596, 746, 806, 828, 1126, 1320, 1369, 1451
SB 373, pages 475, 677, 728

Marion County, compensation of superintendent of education—
HB 119, pages 105, 267, 445, 488

Minimum school program, additional appropriation for—
SB 367, page 472

Operating statement and consolidated fund balance sheet, annual,
filing of—
HB 634, page 1747

Pickens County, abolishing teacher tenure—
SB 447, pages 686, 826, 1017, 1680

BOARD OF EDUCATION, COUNTY (Continued)

- School institutes, regulating holding of—
HB 893, pages 1148, 1693
- Schools, private, authorizing financial assistance to—
SB 137, pages 66, 265
- Schools, private, authorizing financial assistance to, CA—
SB 136, page 66
- Tallapoosa County, compensation of members—
SB 17, pages 8, 62, 129, 196, 205, 425
- Teacher units allowed under the minimum school program, number of—
SB 258, page 250
- Teachers' salaries, calculating allotments for—
HB 1170, pages 1446, 1560
- Tuition grant for attendance at private schools, provided for—
SB 394, pages 480, 884, 1431, 1452, 1894, 1928, 2133
- Walker County, designation of "East Walker County High School"—
SJR 27, page 257
- Walker County, town of Dora, construction of new schools at—
SJR 39, pages 609, 1672, 1704, 1915
- Walker County, town of Sumiton, construction of new school at—
SJR 40, pages 609, 1673, 1704, 1915
- Washington County, expense allowance for members—
HB 541, pages 437, 543, 613, 817
- Winston County, election of members by district—
HB 196, pages 124, 533, 595, 624

BOARD OF EDUCATION, STATE

- See also: EDUCATION; SCHOOLS; SUPERINTENDENT OF EDUCATION; STATE
- Alabama state college center at Mobile, development into junior college—
HB 140, pages 1377, 1560, 2082, 2112
SB 254, pages 226, 321
- Appropriation—
HB 864, page 1240
SB 395, pages 480, 884, 1874, 1928, 2133
- Appropriation, allocation to local boards for transportation expense—
SB 445, page 622
- Compliance agreement, urged not to sign—
HJR 7, page 34
- Exceptional children, including emotionally disturbed children in educational program for—
HB 963, page 1153
HB 964, page 1153
- Governor appoints member, page 212
- Liability insurance for employees of, authorized—
HB 965, pages 1233, 1351

BOARD OF EDUCATION, STATE (Continued)

Minimum school program, additional appropriation for—
SB 367, page 472

Teacher units allowed under the minimum school program, number of—
SB 258, page 250

Teachers' salaries, calculating allotments for—
HB 1170, pages 1446, 1560

Tuition grant for attendance at private schools, provided for—
SB 394, pages 480, 884, 1431, 1452, 1894, 1928, 2133

BOARD OF EQUALIZATION

Appointment of members—
SB 441, page 621

Appropriation, expenses of members—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Assessed property valuations among the counties, providing for equalization of—
SB 440, page 621

Assessment of property for taxation, regulated—
SB 246, page 222

Autauga County, compensation of members—
HB 710, pages 552, 696, 739, 942

Bibb County, compensation of members—
SB 612, pages 1569, 1697

Counties 21,850 to 21,950 population, compensation of members—
HB 543, pages 400, 543, 614, 817

Counties 25,500 to 25,700 population, expense allowance for members—
HB 1214, pages 1522, 1695, 1848, 1960

Counties 31,500 to 33,500 population, expense allowance for members—
HB 1210, pages 1379, 1505, 1619, 1729, 1879

Counties 38,000 to 45,000 population, compensation of members—
SB 460, pages 691, 826, 1016, 1366, 1429, 1679

Counties 100,000 to 115,000 population, compensation of members—
HB 532, page 384

Counties 300,000 to 600,000 population, determination of ratio percentages used in establishing assessed values from appraised values of property—
HB 1015, pages 1371, 1512, 1640, 1884
SB 509, pages 923, 1036, 1410

Cullman County, expense allowance for members—
HB 1113, pages 1303, 1508, 1625, 1886
SB 471, pages 814, 965, 1048

Escambia County, compensation of members—
HB 991, pages 1095, 1192, 1633, 1883

BOARD OF EQUALIZATION (Continued)

Term of service and compensation of members—
SB 442, page 622

Washington County, expense allowance for members—
HB 186, pages 193, 237, 283, 458

BOARD OF EXAMINERS IN THE BASIC SCIENCES, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Fees payable by applicants—
HB 393, pages 1109, 1346, 2083, 2113
SB 167, page 81

Healing arts, exemptions from licensing of practice of—
SB 64, pages 21, 200, 245, 1872, 1927, 2133

BOARD OF FINANCE AND CONTROL

Walker County, abolished—
HB 534, page 763

BOARD OF HEALTH, COUNTY

Counties 300,000 to 600,000 population, designation of treasurer of—
HB 562, pages 643, 824, 1011, 1205

BOARD OF HEALTH, STATE

Advisory council to, qualifications of members—
SB 507, pages 915, 974, 1074, 1877, 1927, 2133

Health officer and other professional employees, compensation of—
HB 53, pages 579, 677, 1563, 1649

Hospitals, sanatoria, rest homes, nursing homes, and related institutions operated by fraternal organizations, licensing of—
HB 702, pages 633, 1032, 2091
SB 285, page 263

Mental retardation facilities, construction and operation of—
SB 555, pages 1024, 1353

Phenylketonuria, testing and treatment of newborn infants for—
HB 10, pages 264, 677
SB 9, pages 7, 200, 351, 2001, 2093, 2134

Power, quorum required, and adoption of rules and regulations—
HB 55, pages 1443, 1556, 1952, 1977

Sewage from watercraft, regulating discharge of—
HB 816, pages 1745, 1798, 1988

Water authorities, approval of source of water furnished by—
HB 1134, pages 1313, 1557, 1952, 1977
SB 118, page 50

BOARD OF MEDICAL EXAMINERS, STATE

Authority of—
HB 56, pages 1443, 1556, 1953, 1977

Physicians teaching in medical colleges, issuance of certificates of qualification to—
HB 5, page 635
SB 66, pages 66, 201, 246, 1870, 1927, 2133

BOARD OF MEDICAL SCHOLARSHIP AWARDS, STATE

Appropriation—

HB 391, pages 1109, 1559, 2083, 2113

SB 166, pages 81, 1347

BOARD OF NURSES' EXAMINERS AND REGISTRATION, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

BOARD OF NURSING, STATE

Professional and practical nurses, licensing and regulation of—

SB 210, pages 163, 543, 1487, 1561, 1866, 1927, 2133

BOARD OF PARDONS AND PAROLES, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Compensation of members—

HB 136, pages 359, 438

SB 74, page 24

SB 75, page 24

BOARD OF PHARMACY, STATE

Creation of—

SB 579, page 1145

BOARD OF PHYSICAL THERAPY, STATE

Created—

HB 8, pages 793, 901, 1515, 1651, 1793

SB 78, page 24

BOARD OF PUBLIC ACCOUNTANCY, STATE

Appointment and removal of members, fees charged by, and issuance
and revocation of certificates—

SB 95, pages 26, 199, 350

Increase in size, appointment and removal of members, fees charged
applicants, and issuance of certificates—

HB 158, pages 194, 267, 350, 457

BOARD OF REGISTRARS

See also: ELECTIONS; PRIMARY ELECTIONS; REGISTRATION
OF VOTERS

Appointment of—

SB 344, pages 355, 1353

Autauga County, office space, supplies, and equipment for—

HB 1087, pages 1308, 1504, 1617, 1790

Butler County, removing date for reidentification of voters—

HB 241, pages 169, 237, 284, 458

Coffee County, relieved of duty of visiting precincts—

SB 578, pages 1144, 1357, 1571, 1878, 1927, 2133

BOARD OF REGISTRARS (Continued)

Compensation of members—

HB 79, page 1151, 1803

SB 134, pages 65, 676

SB 288, page 263

Counties 17,400 to 17,800 population, relieved of duty of visiting precincts—

HB 1211, pages 1390, 1504, 1682, 1936

Counties 22,350 to 24,500 population, meeting places of—

HB 1150, pages 1281, 1499, 1610, 1788

Counties 27,000 to 30,000 population, expense allowance for members—

HB 1162, pages 1378, 1507, 1634, 1887

SB 547, pages 1023, 1131, 1416

Counties 48,200 to 49,200 population, meeting days and compensation of members—

HB 1163, pages 1378, 1512, 1640, 1887

Counties 57,000 to 61,000 population, meeting days of—

HB 736, pages 554, 823, 1008, 1207

Counties 100,000 to 115,000 population, per diem allowance of members—

HB 418, pages 325, 373, 976, 1196

Counties 110,000 to 160,000 population, compensation of members—

HB 1207, pages 1380, 1510, 1636, 1890

Counties 500,000 population or more, compensation of members—

HB 487, pages 413, 539, 603, 625

SB 309, pages 307, 370, 608

Cullman County, expense allowance for members—

HB 1112, pages 1302, 1508, 1626, 1886

SB 470, pages 813, 965, 1048

Electors, qualifications of—

HB 968, pages 1311, 1695

Escambia County, compensation of members—

HB 992, pages 1096, 1192, 1633, 1885

Escambia County, reidentification of voters—

HB 1241, pages 1665, 1696, 1849, 1963

Geneva County, compensation of members—

HB 927, pages 927, 971, 1064, 1205

Jackson County, reidentification of voters—

SB 607, pages 1455, 1552, 1684, 1967, 2092, 2134

Lieutenant governor designated as members of, appointment of—

SB 46, pages 17, 126, 1518, 1734

Literacy tests for registration of voters, preparation of—

SB 476, pages 831, 973

Lowndes County, times and places for registration—

HB 560, pages 527, 675, 727, 941

Macon County, per diem allowance for members—

HB 1008, pages 1101, 1195, 1425, 1578

BOARD OF REGISTRARS (Continued)

Meeting times and places, prescribed—
SB 486, pages 838, 973

Office space, equipment, supplies, and clerical assistance for—
HB 118, pages 1082, 1558
SB 98, pages 27, 675, 1476, 1877, 1926, 2133

Persons eighteen or over qualified to register and vote—
SB 241, page 221

Persons eighteen or over qualified to register and vote, CA—
SB 240, page 221

Public safety, state department of, report of person convicted of
offenses causing disqualification for voting—
SB 485, pages 838, 973

Washington County, expense allowance for members—
HB 185, pages 116, 237, 283, 458

Washington County, purging of registration list—
HB 182, pages 113, 237, 282, 457

BOARD OF REGISTRATION FOR ARCHITECTS, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Organization and operation of, regulated—
SB 244, pages 222, 885

BOARD OF REGISTRATION FOR FORESTERS, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND
LAND SURVEYORS, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

BOARD OF REGISTRATION FOR SANITARIANS, STATE

Use of fees collected by, regulated—
HB 696, pages 1444, 1557, 1952, 1977
SB 187, page 135

BOARD OF REVENUE

See also: COURT OF COUNTY COMMISSIONERS; name of specific
county; name of specific county governing body—

Barbour County, election of members—
SB 60, pages 21, 38, 42, 137, 153, 156

Board of registrars, office space, equipment, supplies, and clerical
assistance for—
HB 118, pages 1082, 1558
SB 98, pages 27, 676, 1514, 2000, 2093, 2134

Cherokee County, compensation of members—
HB 1037, pages 1534, 1699, 1847, 1959

BOARD OF REVENUE (Continued)

- Counties 16,150 to 17,000 population, travel allowance for members—
HB 426, pages 388, 535, 599, 624
- Counties 19,500 to 20,000 population, payment of expense allowance for members—
HB 1208, pages 1380, 1509, 1628, 1890
SB 571, pages 1080, 1193, 1424
- Counties 25,500 to 25,700 population, expense allowance for members—
HB 18, pages 105, 236, 275, 456
- Counties 27,000 to 30,000 population, expense allowance for members—
HB 518, pages 390, 542, 610, 944
- Counties 32,000 to 33,000 population, compensation of members—
HB 877, pages 848, 969, 1060, 1210
- Counties 96,000 to 106,000 population, compensation of members—
HB 900, pages 767, 819, 1835, 1875, 1959
- Counties 96,000 to 106,000 population, expense allowance for members—
HB 1117, pages 1378, 1504, 1844, 1876, 1960
- Cullman County, expense allowance for associate members—
HB 1110, pages 1301, 1508, 1626, 1886
SB 472, pages 815, 965, 1048
- Field notes of original surveys of real property, acquisition of—
HB 315, pages 358, 885
- Hale County, election of members by district—
HB 764, pages 789, 969, 1067, 1204
- Limestone County, compensation of members—
HB 648, pages 512, 823, 1009, 1206
- Limestone County, establishment of contingent fund—
HB 646, pages 510, 823, 1010, 1006
- Macon County, expense allowance for members—
HB 215, pages 166, 535, 976, 1196
- Walker County, created—
HB 534, page 763
- Winston County, election of members, filling of vacancies, and approval of bonds required of members—
HB 193, pages 118, 699, 984, 1200

BOARD OF REVENUE AND CONTROL

- Morgan County, compensation of members—
HB 1151, pages 1281, 1500, 1610, 1788

BOARD OF VETERINARY MEDICAL EXAMINERS, STATE

- Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

BOATS

Change in registration of, regulated—
HB 170, pages 634, 1350, 1814, 1957

Non-resident owners and operators of, service of process on—
HB 622, pages 1155, 1343

Sewage from watercraft, regulating discharge of—
HB 816, pages 1745, 1798, 1988

"Vessel," definition of—
SB 15, page 7

BONDS

Alabama port authority, issuance of bonds for development and operation of docks, harbors, and seaports—
SJR 51, pages 1220, 1355

Appropriation, debt service—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Baldwin County, issuance of bonds for hospital purposes, CA—
HB 1159, pages 1376, 1510, 1632, 1730, 1880

Cities, issuance of bonds for industrial development of, CA—
HB 1123, pages 1312, 1463, 1645, 1891
SB 519, pages 947, 1032

Counties, requiring approval of electors prior to issuance of—
SB 97, pages 27, 128

County officers and employees, execution of bonds required of—
SB 537, pages 960, 1029

Elk river development agency, issuance of bonds by—
HB 1019, pages 1105, 1351, 1646, 1730, 1880

Gas districts, issuance of refunding bonds by—
HB 125, pages 1669, 1693, 1814, 1956

Henry County, issuance of bonds for construction of courthouse and jail, CA—
HB 889, pages 765, 970, 1063, 1205

Highways constructed jointly with federal government, issuance of bonds to finance—
HB 452, pages 683, 885, 934, 1069, 1136, 1202

Issuance of, requiring approval of electors prior to—
SB 96, pages 27, 37, 58, 72, 129, 202, 215

Marion County, refunding of certain bonds issued by municipalities in, and use of proceeds of, CA—
HB 448, pages 338, 1558, 1688, 1890

Municipal parking authorities, issuance of bonds by—
HB 439, pages 1237, 1555

National aeronautics and space administration, construction of housing facilities for displaying exhibits of, CA—
HB 1060, pages 1226, 1354, 2071, 2096, 2131

Prison and correctional facilities, issuance of bonds for construction of—
HB 668, page 632
SB 216, pages 164, 231, 909, 921, 936, 1235, 1917, 1928, 2134

BONDS (Continued)

- Prison and correctional facilities, issuance of bonds for construction of, CA—
SB 217, pages 165, 232
- Roads and bridges, issuance of bonds for construction of—
HB 452, pages 683, 885, 934, 1069, 1136, 1202
- State officers and employees, execution of bonds required of—
SB 538, pages 960, 1029
- University of Alabama Huntsville branch, issuance of bonds for construction of school of medicine at—
SB 265, page 260

BOUNDARIES

- Baldwin County, city of Bay Minette, altered—
HB 1096, pages 1374, 1509, 1937, 1975
- Blount County, altered—
SB 503, pages 915, 973, 1069
- Calhoun County, city of Oxford, altered—
HB 242, pages 170, 237, 442, 488
- Chambers County, city of LaFayette, altered—
HB 908, pages 867, 966, 1050, 1213
- Cities and towns, regulating elections to alter—
HB 84, pages 549, 676, 1469, 1575
SB 59, pages 19, 241, 1469
- Coffee County, city of Enterprise, altered—
SB 67, pages 22, 37, 42, 198, 205, 425
- Contiguous municipalities, merger of—
HB 383, page 1082
SB 171, pages 82, 242
- Coosa County, town of Rockford, altered—
HB 470, pages 524, 699, 985, 1119, 1201
- Cullman County, town of Garden City, altered—
HB 752, pages 645, 701, 744, 818
SB 356, pages 433, 534, 597, 746, 807, 828
- Cullman County, town of Hanceville, altered—
HB 806, pages 769, 969, 1394
SB 399, pages 481, 698, 740, 1155, 1218, 1450
- Dallas County, city of Selma, altered—
HB 1115, pages 1287, 1505
SB 532, pages 956, 1033, 1397, 1659, 1703, 1915
- DeKalb County, town of Crossville, altered—
SB 141, pages 67, 127, 247, 627, 678, 716
- DeKalb County, town of Geraldine, altered—
SB 401, pages 484, 825, 1016, 1366, 1429, 1679
- DeKalb County, town of Powells Crossroads, altered—
SB 611, pages 1460, 1552, 1781
- Escambia County, city of Brewton, altered—
HB 754, pages 646, 719, 994, 1199

BOUNDARIES (Continued)

Etowah County, city of Gadsden, altered—

HB 756, pages 786, 822, 1005, 1200

SB 575, pages 1142, 1355, 1570, 1821, 1838, 1915

Etowah County, town of Glencoe, altered—

HB 262, pages 173, 240, 291, 458

SB 574, pages 1140, 1356, 1570, 1821, 1837, 1915

SB 575, pages 1142, 1355, 1570, 1821, 1838, 1915

Etowah County, town of Hokes Bluff, altered—

HB 263, pages 176, 240, 290, 458

Etowah County, town of Rainbow City, altered—

HB 64, pages 139, 239, 289, 456

HB 756, pages 786, 822, 1005, 1200

Etowah County, town of Southside, altered—

HB 755, pages 784, 822, 1005, 1200

HB 757, pages 787, 822, 1005, 1208

SB 149, pages 75, 234, 272, 627, 678, 716

Franklin County, city of Russellville, altered—

HB 760, pages 647, 719, 995, 1199

HB 812, pages 770, 969, 1060, 1218

HB 924, pages 880, 967, 1052, 1211

HB 925, pages 878, 967, 1053, 1211

HB 1120, pages 1271, 1508, 1626, 1823, 1892

HB 1274, pages 1721, 1801, 1943, 1976

Franklin County, town of Vina, altered—

HB 926, pages 879, 967, 1584, 1785

Geneva County, town of Slocomb, altered—

SB 375, pages 476, 698, 983, 1311, 1368, 1451

Jackson County, city of Scottsboro, altered—

HB 1124, pages 1293, 1505, 1845, 1960

Jefferson County, city of Bessemer, altered—

HB 551, pages 490, 694, 732, 930

HB 553, pages 502, 695, 733, 943

Jefferson County, city of Birmingham, altered—

HB 1056, pages 1184, 1359, 1594, 1787

Jefferson County, city of Fultondale, alteration of—

HB 484, pages 410, 538, 603, 625

Jefferson County, city of Hueytown, altered—

HB 547, pages 494, 694, 990, 1119, 1201

HB 548, pages 496, 694, 981, 1119, 1201

SB 334, pages 318, 372, 976

SB 335, pages 319, 372, 976

Jefferson County, city of Mountain Brook, altered—

HB 868, pages 759, 819, 997, 1199

SB 417, pages 573, 693, 1040

Judge of probate, time limitation for ordering election on alteration
of—

HB 84, pages 549, 676, 1469, 1575

Lamar County, town of Beaverton, altered—

HB 1028, pages 1105, 1195, 1425, 1578

BOUNDARIES (Continued)

- Lauderdale County, city of Florence, altered—
HB 870, pages 757, 819, 997, 1199
SB 425, page 590
- Lawrence County, town of Moulton, altered—
HB 1187, pages 1382, 1506, 1623, 1792
- Limestone County, town of Ardmore, altered—
SB 495, pages 839, 971, 1065, 1366, 1430, 1680, 2134
- Limestone County, town of Elkmont, altered—
HB 1277, pages 1725, 1801, 1942, 1976
SB 610, pages 1458, 1553, 1684, 1967, 2092, 2134
- Madison County, town of Madison, alteration of—
HB 871, pages 795, 819, 995, 1199
SB 418, pages 575, 698, 740
- Madison County, town of New Hope, altered—
HB 825, pages 771, 822, 1006, 1200, 1448, 1575
SB 362, pages 469, 697, 738
- Marengo County, town of Sweet Water, altered—
HB 1253, pages 1655, 1697, 1852, 1963
- Marion County, town of Glen Allen, altered—
HB 1278, pages 1723, 1804, 1945, 1977
- Marion County, town of Guin, altered—
HB 121, pages 107, 267, 445, 486, 489
- Mobile County, city of Chickasaw, altered—
HB 1233, pages 1531, 1699
- Mobile County, city of Mobile, altered—
HB 1232, pages 1523, 1697, 1854, 1962
SB 466, pages 809, 964, 1046, 1967, 2091, 2134
- Mobile County, city of Prichard, altered—
HB 1232, pages 1523, 1697, 1854, 1962
- Mobile County, town of Satsuma, altered—
HB 413, pages 629, 1035, 1410, 1577
- Morgan County, city of Decatur, altered—
SB 423, page 586
SB 585, pages 1246, 1506, 1572, 2107, 2119, 2125, 2126, 2128, 2129, 2131, 2135
- Morgan County, town of Hartselle, altered—
SB 521, pages 949, 1037, 1413, 2123, 2135
- Morgan County, town of Trinity, altered—
HB 522, pages 388, 542, 611, 944
- Perry County, city of Marion, altered—
HB 839, pages 775, 970, 1062, 1210
- Pickens County, town of Ethelsville, altered—
SB 592, pages 1251, 1507, 1580, 1821, 1838, 1916
- Randolph County, city of Roanoke, altered—
HB 565, page 527
SB 315, pages 309, 371, 450, 614, 619, 685

BOUNDARIES (Continued)

Shelby County, town of Alabaster, altered—
HB 789, pages 636, 697, 982, 1200

Shelby County, town of Helena, altered—
HB 788, pages 846, 969, 1058, 1210

St. Clair County, altered—
SB 503, pages 915, 973, 1069

St. Clair County, city of Pell City, altered—
HB 175, pages 278, 321, 448, 489

Sumter County, town of Livingston, altered—
HB 1192, pages 1383, 1506, 1623, 1792

Talladega County, city of Childersburg, altered—
HB 798, pages 639, 697, 737, 941
SB 419, pages 584, 693, 729, 1155, 1219, 1450, 1477

Talladega County, city of Sylacauga, altered—
HB 953, pages 928, 970, 1064, 1206
SB 450, pages 688, 964, 1045, 1366, 1429, 1679

Tuscaloosa County, city of Tuscaloosa, altered—
HB 957, pages 871, 967, 1055, 1212

Washington County, town of Millry, altered—
HB 181, pages 112, 237, 282, 457

Winston County, city of Haleyville, altered—
HB 238, pages 148, 237, 284, 458

BOXING AND WRESTLING COMMISSION, STATE

Broadcasting, television, and motion picture rights, percentage received from sale or lease of—
HB 1111, pages 1745, 1804
SB 531, pages 956, 1551

BRANYON, ARTHUR CURTIS

Mourning death of—
HJR 136, pages 1266, 1547
SJR 54, pages 1363, 1540, 1568, 1680

BRAY, MRS. EMMA J.

Mobile County, relief of—
HB 1231, pages 1533, 1695, 1850, 1974
SB 581, pages 1145, 1357, 1589, 1821, 1838, 1916

BREWER, SPEAKER ALBERT

Requested to explain his position on the "Liberty Amendment" and the recently published "Manion Forum"
SR 7, page 55

BREWTON, CITY OF

Boundaries altered—
HB 754, pages 646, 719, 994, 1199

BROWNE, DOCTOR JEAN CLARK

Mourning death of—
SJR 58, pages 1561, 1675, 1704, 1915

BRYCE HOSPITAL

Alabama special mental health fund, amount of tax on alcoholic beverages credited to—

HB 1141, pages 1739, 1802, 2083, 2114

Inmates in, liability of persons responsible for care and support of—

HB 1077, pages 1189, 1343

Mental health, creating single state agency to coordinate activities related to—

HB 699, pages 1269, 1557, 1897, 1914, 1935, 1953, 1969, 2115, 2130
SB 352, pages 430, 901

Merit system, establishment of—

HB 703, pages 1524, 1694, 1862, 1958

BUDGET DOCUMENT, STATE

Extending time for filing—

SR 5, page 51

BUILDING COMMISSION, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Election of members—

SR 14, page 154

BULKELEY, ADMIRAL JOHN D.

Commended—

SR 55, page 1418

BULLOCK COUNTY

Court of county commissioners, mileage allowance for members—

HB 1102, pages 1296, 1506, 1622

SB 528, pages 953, 1034, 1399, 1659, 1703, 1915

Court of county commissioners, terms of members—

HB 1103, pages 1297, 1506, 1622

SB 529, pages 954, 1034, 1398, 1659, 1703, 1915

Sales and use taxes, collection and enforcement of—

HB 1174, pages 1385, 1506, 1621, 1791

SB 565, pages 1077, 1195, 1425

Tax assessor and tax collector, compensation and clerical assistance—

HB 527, pages 383, 542, 612, 945

Tax collector and tax assessor, compensation and clerical assistance, CA—

HB 803, pages 791, 822, 1007, 1213

BUREAU OF PUBLICITY AND INFORMATION, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

HB 709, pages 633, 1348

SB 157, page 80

Tourist welcome centers, operation of—

HB 1202, pages 1446, 1914

SB 569, pages 1079, 1349

BURGLARY

Burglarious instruments, penalty for possession of—
HB 288, page 792

BUSINESS REGULATION

Going out of business and distress merchandise sales, licensing and regulation of—
HB 914, pages 1268, 1463, 1647, 1883
SB 487, pages 838, 920

Trading stamps, penalty for selling, issuing, or receiving—
SB 111, pages 34, 1465

Uniform commercial code, adoption of—
SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, 1863, 1873, 1916

BUTLER COUNTY

Barbers, licensing and regulation of—
HB 464, pages 392, 536, 600, 624

McKenzie, town of, attendance of non-resident school pupils at school at—
SB 353, pages 430, 534, 976, 1267, 1368, 1451

Railroads required to install warning devices at grade crossings—
SB 27, pages 12, 234, 272, 1520, 1569, 1680

Voters, reidentification of—
HB 241, pages 169, 237, 284, 458

CAHABA HISTORICAL COMMISSION

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

CALHOUN COUNTY

Ad valorem taxes, redemption of land sold for—
HB 904, pages 844, 971, 1066, 1205

Anniston, city of, levy of ad valorem tax for school purposes, CA—
SB 186, pages 135, 235, 273, 549, 568, 617

Anniston, city of, working hours for firemen—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

Board of education, compensation of members—
HB 463, pages 631, 699, 741, 937, 943

City boards of education, agreement with federal agencies for operation of schools on military bases—
HB 906, pages 1085, 1193, 1423, 1576

Commissioner of licenses, office created—
HB 746, pages 631, 701, 744, 818

Commissioner of licenses, prohibited from taking fee for administering oath or acknowledging affidavit—
HB 1032, pages 1164, 1360, 1597
SB 469, pages 813, 971, 1065, 1366, 1429, 1679

CALHOUN COUNTY (Continued)

- Coroner, compensation—
 - HB 460, pages 551, 699, 741, 942
 - HB 856, page 753
- Coroner, expense allowance—
 - HB 461, pages 551, 1356, 1588, 1785
- County commission, compensation of members—
 - HB 883, page 758
- County court, compensation of judge—
 - HB 860, pages 755, 820, 999, 1203
- County court, intermediate court, and register, clerical assistance—
 - HB 905, pages 844, 971, 1065, 1205
- Court reporters, compensation—
 - HB 858, pages 754, 820, 999, 1203
- Court reporters, compensation—
 - HB 858, pages 754, 820, 999, 1203
- Hospital records, introduction of certified copies as evidence—
 - HB 1267, pages 1719, 1800, 1941, 1976
 - SB 609, pages 1458, 1552
- Judge of probate, trial of inquisitions of lunacy—
 - SB 251, pages 226, 250, 293, 551, 570, 617
- Judges, circuit, compensation—
 - HB 857, pages 753, 820, 1000, 1203
- Judges, circuit, expense allowance for—
 - HB 859, pages 755, 820, 999, 1203
- Juvenile and domestic relations court, compensation of judge and probations officers, and providing for substitute judge of—
 - HB 862, pages 761, 820, 998, 1204
- Municipal hospitals, exempting schools of nursing from civil service system—
 - HB 804, pages 792, 822, 1007, 1207
- Oxford, city of, boundaries altered—
 - HB 242, pages 170, 237, 442, 488
- Sheriff, compensation—
 - HB 854, pages 751, 820, 1000, 1203
- Solicitor, circuit, compensation—
 - HB 852, pages 750, 820, 1001, 1203
- Solicitor, circuit, expense allowance—
 - HB 861, pages 756, 820, 998, 1204
- Tax assessor, compensation—
 - HB 855, pages 752, 820, 1000, 1203
- Tax collector, compensation—
 - HB 853, pages 751, 820, 1001, 1203
- Textbooks, selection of—
 - HB 13, pages 138, 236, 275, 456, 915, 1197

CAMPBELL, JAMES L.

Appropriation, relief of—

HB 9, pages 1233, 1347, 1646, 1882

CANDIDATES

Ballots, printing of name on—

HB 100, pages 1151, 1343

CAROLINE DRAUGHON VILLAGE

Designation of—

HJR 13, pages 97, 158, 564, 615

CARRIE HENDERSON HALL

Designation of—

HJR 119, pages 1324, 1547

CASUALTY AND SURETY INSURANCE COMPANIES

Rates, regulating alteration of—

SB 199, page 160

CATER ACT

Definitions under—

SB 480, pages 833, 1029

CATTLE

Abusive treatment of, prohibited—

SB 426, page 619

Fat stock show, appropriation in aid of—

SB 62, page 21

Livestock market, public, penalty for selling livestock near—

SB 41, pages 16, 243

Meat and meat products, imported, regulating sale of—

SB 3, pages 6, 615

Southeastern livestock exposition, exemption from sales taxes—

SB 63, page 21

Tennessee valley fatstock show, appropriation in aid of—

SB 4, pages 6, 1030

Weapon or other device used for capturing or immobilizing, registration of—

HB 415, pages 1305, 1693

CAUSES OF ACTIONS

See: ACTIONS; CIVIL REMEDIES AND PROCEDURE; JUDICIAL PROCEDURE; SUITS—

CEMETERIES

Abandonment and disposal of, regulated—

SB 48, pages 17, 199, 244, 714, 806, 828

Ancient, cities and towns authorized to maintain and care for—

HB 362, pages 1149, 1556

CENSUS

- Municipal, special, conducted by federal bureau of census, purposes for use of—
SB 52, pages 18, 1352

CHAMBERS COUNTY

- Coroner, fees and clerical assistance—
HB 425, pages 327, 535, 599, 624
- Fishing licenses, disposition of proceeds—
HB 424, pages 326, 535, 599 624
- Judge of probate circuit clerk, sheriff, register, tax assessor, tax collector, and members of court of county commissioners, compensation—
HB 909, pages 854, 966, 1051, 1213
- Jurors, compensation—
HB 423, pages 325, 535, 598, 624
- LaFayette, city of, boundaries altered—
HB 908, pages 867, 966, 1050, 1213

CHECKS

- Funds credited to depositor's account through error, penalty for withdrawal of—
SB 36, pages 15, 533, 1483, 1877, 1926, 2133

CHEROKEE COUNTY

- Board of revenue, compensation of members—
HB 1037, pages 1534, 1699, 1847, 1959
- Board of revenue, travel allowance for members—
HB 426, pages 388, 535, 599, 624
- Circuit clerk, clerical assistance—
HB 1036, pages 1167, 1360, 1630, 1885
- County court, residence requirements of judge—
HB 1034, pages 1165, 1360, 1630, 1885
- Fishing, commercial, limitations on fishing gear used—
HB 350, pages 515, 825, 1014, 1208, 1824, 1964
- Hunting preserves, private, licensing and regulation of—
HB 353, pages 187, 238, 291, 459
- Judges of probate, tax assessor, tax collector, circuit clerk, register, sheriff, and deputy solicitor, compensation and clerical assistance—
HB 1035, pages 1166, 1360, 1631, 1885
- Justices of the peace, jurisdiction—
HB 351, pages 184, 238, 292, 459
- Roads and bridges, regulating construction of—
HB 1033, page 1164
- Solicitor, county, office abolished—
HB 352, pages 185, 238, 292, 459, 1810
- Solicitor, deputy, office created—
HB 352, pages 185, 238, 292, 459, 1810

CHICKASAW, CITY OF

Boundaries altered—

HB 1233, pages 1531, 1699

CHICKENS

See: **POULTRY—**

CHILDERSBURG, CITY OF

Boundaries altered—

HB 798, pages 639, 697, 737, 941

SB 419, pages 584, 693, 729, 1155, 1219, 1450, 1477

CHILDREN

See also: **INFANTS; MINORS—**

Alcoholic beverages, penalty for minor to purchase, consume, or transport—

SB 494, pages 839, 932, 1485, 1998, 2094, 2134

Counties 125,000 to 225,000 population, definition of, and penalty for, "contributing to the delinquency of children"—

SB 184, pages 135, 235, 273, 551, 568

Delinquency of, penalty for contributing to—

SB 322, page 313

Enticing for immoral purposes, penalty for—

HB 232, pages 1239, 1805

SB 323, page 314

Garnishment for collection of child support, exemption of wages on writ of—

SB 411, page 572

Indecent exposure in presence of, penalty for—

SB 321, page 313

Indecent molestation of, penalty for—

SB 324, page 314

Parents of, liability for damages caused by—

HB 377, pages 798, 1030, 2191

SB 203, pages 162, 532

Reports of injuries inflicted upon, and exemption from civil liability for making reports—

HB 114, pages 633, 1354

SB 8, pages 6, 230, 351, 464, 1736, 1758, 1915

SB 122, page 54

Savings and loan deposits in two names, payment of principal and interest—

HB 66, pages 1746, 1804

Under sixteen years of age, penalty for assault and battery upon—

SB 325, page 314

CHILTON COUNTY

Board of equalization, expense allowance for members of—

HB 1214, pages 1522, 1695, 1848, 1960

Board of revenue and control, expense allowance for members—

HB 18, pages 105, 236, 275, 456

CHILTON COUNTY (Continued)

Law and equity court, abolished and re-established—
HB 1038, pages 1168, 1359, 1597, 1786

Sales and use taxes, exemptions, deductions, and exclusions from—
HB 465, pages 780, 968, 1056, 1211

Solicitor, circuit, fund created for use of—
HB 359, pages 1189, 1356, 1589, 1784

CHIROPRACTORS

Board of chiropractic examiners, state, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

CHOCOLOC CO CREEK WATERSHED ASSOCIATION

Appropriation—
HB 398, pages 1110, 1346, 2080, 2113
SB 165, page 81

CHOCTAW COUNTY

Board of commissioners, election of members by district—
SB 33, pages 14, 46, 128, 1522, 1568, 1680

Hospital board members and other personnel, commended—
SJR 53, pages 1362, 1539, 1568, 1680

Superintendent of education, compensation and expense allowance—
HB 20, pages 165, 236, 276, 456

Witness fees, payment of—
HB 1104, pages 1298, 1505, 1620, 1791

CHURCHES

Clergymen and their communicants or confessors, privileged communications between—
SB 114, pages 45, 232, 1779, 1992, 2093, 2134

CIGARETTE TAX

Levied—
HB 874, pages 1039, 1346, 2007, 2096, 2114

Madison County, distribution of proceeds of—
HB 296, pages 194, 238, 285, 459, 664, 945
HB 961, pages 841, 968, 1055, 1212
SB 484, pages 836, 965, 1050

Winston County, levied—
HB 1224, pages 1525, 1698, 1856, 1961

CIGARETTES

"The Unfair Cigarette Sales Act," repealed—
SB 198, page 159

CIRCUIT CLERK

See also: CIRCUIT COURT; JUDICIAL CIRCUITS; specific judicial circuit; specific county and counties on a population basis—

Autauga County, payment of premium on bond of—
HB 1088, pages 1310, 1504, 1617, 1790

CIRCUIT CLERK (Continued)

Baldwin County, compensation and clerical assistance—
HB 1090, pages 1743, 1801, 1971, 1999, 2101

Baldwin County, compensation and clerical assistance, CA—
HB 708, pages 552, 718, 994, 1202

Chambers County, compensation—
HB 909, pages 854, 966, 1051, 1213

Cherokee County, clerical assistance—
HB 1036, pages 1167, 1360, 1630, 1885

Cherokee County, compensation—
HB 1035, pages 1166, 1360, 1631, 1885

Counties 17,400 to 17,800 population, clerical assistance—
HB 505, pages 435, 825, 1013, 1208

Counties 19,000 to 19,500 population, compensation of clerical assistant—
HB 946, pages 927, 1025, 1585, 1786

Counties 26,600 to 26,800 population, clerical assistance—
HB 216, pages 168, 535, 598, 624

Counties 57,000 to 61,000 population, microfilming of records in office of—
HB 944, pages 880, 967, 1052, 1211

Counties 96,000 to 116,000 population, providing for administrative consultant to—
HB 1273, pages 1721, 1800, 1940, 1975

Counties 100,000 to 115,000 population, expense allowance—
HB 1236, pages 1530, 1698, 1857, 1962

Counties 500,000 population or more, control and disposition of trust funds by—
HB 1130, pages 1268, 1501, 1612, 1788

Counties 600,000 population or more, destruction of certain papers—
HB 1054, pages 1184, 1358, 1593, 1789

Counties 600,000 population or more, microfilming of certain documents—
HB 1055, pages 1184, 1359, 1594, 1787

Cullman county, clerical assistance—
HB 542, pages 384, 543, 613
SB 261, pages 259, 367, 450, 628, 679, 716

Cullman County, compensation—
HB 1109, pages 1300, 1508, 1625, 1792
SB 473, pages 816, 965, 1049

Dallas County, compensation—
SB 396, pages 480, 674, 725, 1155, 1218, 1265, 1447, 1450, 1452, 1680

Funds held by, investment of—
SB 71, page 23

Greene County, compensation and clerical assistance—
HB 762, page 649
SB 329, pages 315, 534, 596, 1367, 1430, 1680

Greene County, compensation and clerical assistance, CA—
HB 268, page 178

CIRCUIT CLERK (Continued)

- Lauderdale County, compensation and clerical assistance—
HB 454, pages 339, 373, 594, 616, 1240
- Lauderdale County, compensation and clerical assistance, CA—
HB 454, pages 339, 373, 594, 616, 1240
- Limestone County, compensation of additional clerk—
HB 650, pages 493, 823, 1008, 1207
- Marshall County, abolition of branch office at Albertville—
HB 1142, pages 1276, 1553, 1686
- Marshall County, expense allowance—
HB 519, pages 380, 542, 611, 944
- Shelby County, compensation and clerical assistance—
HB 333, pages 182, 238, 286, 487, 487
- Shelby County, compensation and clerical assistance, CA—
HB 332, pages 182, 238, 285, 459
- Tuscaloosa County, compensation—
HB 876, pages 872, 969, 1062, 1204
- Washington County, expense allowance—
HB 187, pages 117, 237, 283, 458
- Wilcox County, clerical assistance—
SB 369, pages 473, 674, 725, 1154, 1218, 1450
- Winston County, filling vacancy in office of—
HB 195, pages 123, 699, 984, 1200

CIRCUIT COURT

- See also: BAILIFFS; CIRCUIT CLERK; JUDGE, CIRCUIT; JUDICIAL CIRCUITS; REGISTER, CIRCUIT COURT; SOLICITOR, CIRCUIT; specific judicial circuit—
- Appeals from decisions of justices of the peace, regulated—
SB 207, page 163
- Appropriation, operation of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Circuit clerk and register, investment of funds held by—
SB 71, page 23
- Coffee County, prosecution of misdemeanors—
HB 910, pages 844, 966, 1051, 1213
- Contempt of court, appeals from judgments for—
HB 834, pages 1148, 1344, 2116, 2131
SB 567, page 1079
- Counties 96,000 to 106,000 population, compensation of bailiffs—
HB 758, pages 763, 822, 1004
SB 233, pages 220, 252, 295, 627, 679, 716
- Counties 110,000 to 160,000 population, compensation of deputy register and bailiff of family court division of—
HB 517, pages 380, 542, 725, 978
SB 192, pages 136, 235, 274, 550, 569, 617

CIRCUIT COURT (Continued)

Counties 225,000 to 500,000 population, compensation of deputy register—

SB 188, pages 136, 964, 1042, 1991, 2093, 2134

Counties 225,000 to 500,000 population, appointment and compensation of deputy register—

SB 556, pages 1025, 1131, 1419, 1989, 2094, 2134

Counties 600,000 population or more, pre-trial conference in civil cases, provided for—

HB 774, pages 642, 696, 1836, 1875, 1958

Defendant pleading guilty, dispensing with jury verdict and fixing of punishment—

HB 374, page 1156

SB 170, page 82

Houston County, court costs in—

HB 1121, pages 1292, 1511, 1638, 1887

Judge, supernumerary, qualifications of—

SB 262, pages 260, 669

Judges, supernumerary, offices abolished—

SB 150, pages 77, 201

Judgment or decree, permitting motion to set aside, or granting of new trial—

HB 676, pages 792, 1028

Montgomery County, establishment of law library—

SB 183, pages 133, 234, 273, 549, 568, 617

Montgomery County, suits against examiners of public accounts required to be brought in—

SB 531, page 960

Person having defective hearing or speech, providing for an interpreter for—

HB 591, pages 799, 920, 1911, 1974

Solicitor's fund in each judicial circuit, creation of—

SB 61, pages 21, 532, 1470, 1878, 1926, 2133

Supernumerary circuit judges, compensation—

HB 495, pages 413, 540, 606, 626

SB 307, pages 307, 369, 608

Supernumerary court reporters, qualifications, duties, and compensation—

SB 103, pages 33, 532

SB 448, page 687

Supernumerary court reporters, qualifications of—

HB 52, pages 553, 920, 1822, 1891

Thirty-fourth judicial circuit, creation of—

HB 203, pages 359, 1559

Winston County, regulating holding of court at Haleyville—

SB 230, pages 217, 267, 447, 628, 679, 716

CIRCUIT SOLICITOR

See: SOLICITOR, CIRCUIT

CITIES AND TOWNS NOT HAVING A COMMISSION FORM OF GOVERNMENT

Officials, election of—
HB 92, pages 579, 1195, 1469, 1576
SB 55, page 18

CITIES GENERAL LAWS

Ad valorem tax for library purposes, authorizing levy of, CA—
HB 894, pages 1305, 1678

Ad valorem taxes levied by, rate of, CA—
SB 57, pages 19, 241

Agricultural products, authorizing public corporations to promote and develop use of—
HB 633, pages 635, 888, 1241, 1549

Alcoholic beverages, population basis for distribution of proceeds of taxes on—
HB 1221, pages 1741, 1799

Bonds, requiring approval of voters prior to issuance of—
SB 96, pages 27, 37, 58, 72, 129, 202, 215

Boundaries, regulating elections to alter—
HB 84, pages 549, 676, 1469, 1575
SB 59, pages 19, 241, 1469

Boundaries, time limitation for judge of probate to order election on alteration of—
HB 84, pages 549, 676, 1469, 1575

Cemeteries, abandonment and disposal of—
SB 48, pages 17, 1799, 244, 714, 806, 828

Cemeteries, ancient, authorized to maintain and care for—
HB 362, pages 1149, 1556

Census, special, conducted by federal bureau of census, purposes for use of—
SB 52, pages 18, 1352

Cities and towns not having a commission form of government, election of officials—
HB 92, pages 579, 1195, 1469, 1576
SB 55, page 18

Constitutional amendments affecting, method for voting on—
SB 102, pages 28, 1038

Contiguous municipalities, merger of—
HB 383, page 1082
SB 171, pages 82, 242

Contracts between the state and municipalities, execution of—
HB 992, pages 1096, 1192, 1633, 1885

Elections on bond issues, validated—
HB 82, pages 490, 676
SB 51, pages 18, 240, 1018, 1878, 1926, 2133

Elections to authorize special taxes, validated—
HB 93, pages 579, 676
SB 50, pages 18, 240, 1017, 1878, 1926, 2133

CITIES GENERAL LAWS (Continued)

Gas districts, issuance of refunding bonds by—
HB 125, pages 1669, 1693, 1814, 1956

Hospital board of directors, self-perpetuating, providing for—
SB 174, pages 82, 366, 593, 1968, 2091, 2134

Industrial development, definitions under laws regulating—
HB 931, pages 1153, 1344, 1817, 1876, 1959
SB 480, pages 833, 1029

Industrial development, development and operation of recreational
and pleasure resorts—
SB 139, pages 66, 241

Industrial development, enlargement, expansion, or re-location of
projects—
SB 223, pages 208, 266, 891, 1737, 1758, 1916, 1950

Industrial development, issuance of bonds for, CA—
HB 1123, pages 1312, 1463, 1645, 1891
SB 519, pages 947, 1032

Mayor-council form of government, election and compensation of
mayor and aldermen—
HB 86, pages 549, 676
SB 56, pages 18, 241

Municipal buildings, defining terms under laws providing for public
corporation for construction of—
HB 1080, pages 1149, 1556

Municipal charters, forfeiture and causes of forfeiture—
HB 1160, pages 1447, 1464, 1813, 1960

Municipal corporations, validating incorporation of—
HB 91, pages 549, 676
SB 49, pages 17, 240, 1017, 1878, 1926, 2133

Municipal funds, pledge by banks of certain assets as security for
deposits of—
HB 202, pages 767, 919, 1644, 1729, 1879
SB 19, pages 10, 266

Municipal parking authorities, incorporation of—
HB 439, pages 1237, 1555

Municipal sales and use taxes, excluded in computation of state
lodgings tax—
HB 218, pages 1226, 1350, 1815, 1956

Officials, public, charged with custody of public funds, relieved from
liability in making certain deposits of—
SB 515, pages 925, 1030

Physically handicapped, requiring public buildings to be made ac-
cessible to—
SB 68, pages 23, 201, 246, 1231, 1245, 1451

Public improvement authorities, authorizing sale and transfer of
property of—
HB 1248, pages 1740, 1799
SB 591, pages 1251, 1464, 1677, 1985, 2094, 2134

Public improvement authorities, providing for election to approve
contract for sale or merger of assets and facilities—
HB 1002, pages 1117, 1191, 1691, 1730, 1879

CITIES GENERAL LAWS (Continued)

Purchases from the state, not requiring competitive bids—
SB 479, pages 833, 1195

Recorders, alternate method of appointment—
HB 654, page 1232

Recorders' court, assessment of solicitor's fees on appeals of judgments rendered in—
HB 85, pages 793, 920, 1468, 1576
SB 53, pages 18, 241, 1469

Recorders, temporary, alternate method of appointment—
SB 191, pages 136, 242

Schools, private, authorizing financial assistance to, CA—
SB 136, page 66

Schools, private, authorizing local financial assistance to—
SB 137, pages 66, 265

CITIES 29,000 POPULATION OR MORE

Firemen, working hours of—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

CITIES 50,000 TO 60,000 POPULATION

Mayor and commissioners, compensation—
HB 76, pages 143, 971, 1839, 1876, 1956

CITIES 60,000 TO 70,000 POPULATION

Governing body, compensation of chairman—
SB 457, page 690

CITIES 70,000 TO 120,000 POPULATION

Mayor and councilmen, election and terms of—
SB 239, pages 221, 251, 294, 550, 569, 617
SB 264, pages 260, 322, 448

Sales and use taxes, authorizing levy of—
HB 516, pages 379, 700, 986, 1121, 1201
SB 238, pages 220, 251, 293

CITIES 70,000 TO 130,000 POPULATION

Planning commission, membership of—
SB 559, pages 1027, 1131, 1416, 1728, 1757, 1915

CITIES 125,000 TO 200,000 POPULATION

Housing authority, powers of—
HB 731, page 1226

CITIES 125,000 TO 250,000 POPULATION

Governing body, compensation of members—
HB 567, pages 529, 675, 1394
SB 336, pages 320, 367, 450, 746, 807, 828

CITIES 200,000 TO 300,000 POPULATION

Board of adjustment, qualifications for membership on—
HB 726, pages 760, 1362, 1607, 1729, 1879

Historical sites, monuments, and architectural character, preservation of—
HB 1145, pages 1286, 1511, 1638, 887
SB 549, pages 1023, 1130, 1432

Mayor-council form of government, adoption of—
SB 138, pages 66, 127, 344, 1979, 2093, 2134

Planning commission, qualifications of members—
HB 725, pages 761, 1362, 1606, 1728, 1879

Recorders court, selection, qualifications, compensation, and duties of judge and officers—
SB 602, pages 1264, 1511, 1639

CITIES 250,000 POPULATION OR MORE

Pension and relief fund, composition of board of managers for—
HB 1262, pages 1658, 1697, 1853, 1964

CITIES 300,000 POPULATION OR LESS

Elections, deleting name from ballot if only one person has filed statement of candidacy—
HB 87, pages 491, 668, 808, 945

CITIES 300,000 POPULATION OR MORE

Councilmen, compensation—
HB 491, pages 413, 540, 605, 625
HB 1052, pages 1183, 1553, 1685, 1886
SB 297, pages 307, 367, 608

Councilmen, filling vacancies in office of—
HB 502, pages 419, 541, 608, 626
SB 302, pages 304, 368, 608

Explosives, training of firemen and policemen in disarming or neutralizing of—
HB 1180, pages 1441, 1500, 1629, 1889

Firemen, authority to make arrests—
HB 1181, pages 1441, 1500, 1629, 1889

Firemen, defining injuries incurred in the line of duty—
HB 1182, pages 1441, 1501, 1630, 1889

Governing body, expense allowance for members—
HB 492, pages 414, 540, 605, 626
SB 298, pages 303, 367, 608

Governing body, regulating meetings of—
HB 493, pages 417, 540, 606, 626
SB 299, pages 303, 368, 608

Mayor and councilmen, filing of statements of candidacy for office of—
HB 494, pages 419, 494, 606, 626
SB 300, pages 303, 368, 608

Mayor, authorizing chief administrative assistant to—
HB 500, pages 419, 541, 607, 626
SB 296, pages 303, 367, 608

CITIES 300,000 POPULATION OR MORE (Continued)

Mayor, filling vacancy in office of—
HB 496, pages 419, 540, 607, 626
SB 301, pages 303, 368, 608

Ordinances or resolutions, providing for adoption by petition and referendum—
HB 499, pages 435, 541, 722, 1124, 1197

Ordinances or resolutions, providing for repeal by petition and referendum—
HB 498, pages 419, 541, 1935

CITIES 350,000 POPULATION OR MORE

Recorder, power to require appeal bond in certain cases—
HB 1183, pages 1442, 1501, 1612, 1790

CIVIC CENTERS

Counties 500,000 population or more, establishment of civic center in county seat of—
HB 1176, pages 1461, 1554, 1686, 1888
SB 558, pages 1025, 1129, 1427

Counties 500,000 population or more, establishment of civic center in county seat of, CA—
HB 1178, pages 1440, 1502, 1616, 1793
SB 557, pages 1025, 1129, 1426

CIVIL CASES

Civil actions, striking of juries in—
SB 253, pages 226, 532, 614, 1875, 1896, 2133

Counties 96,000 to 106,000 population, admissibility of certain evidence in—
SB 405, pages 570, 693, 979, 1968, 2092, 2134

Counties 600,000 population or more, pre-trial conferences in cases pending in circuit court, providing for—
HB 774, pages 642, 696, 1836, 1875, 1958

Person having defective hearing or speech, providing for an interpreter for—
HB 591, pages 799, 920, 1911, 1974

CIVIL COURT

Jefferson County, abolished—
HB 490, pages 415, 539, 604, 623
SB 304, pages 304, 368, 608

CIVIL DEFENSE, STATE DEPARTMENT OF

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

CIVIL LIABILITY

Person rendering care at scene of accident or disaster, exemption from—
HB 16, page 1146

CIVIL REMEDIES AND PROCEDURE

See also: ACTIONS; JUDICIAL PROCEDURE; SUITS—

Actions on contracts or in tort in which venue is improperly laid,
recovery of damages from plaintiff's attorney—
SB 573, pages 1140, 1341

Circuit court, permitting motion to set aside judgment or decree, or
granting of new trial—
HB 676, pages 792, 1028

Corporations, service of process on—
HB 688, pages 1234, 1344, 1760, 1883

Counties 20,050 to 21,850 population, admissibility of evidence in cer-
tain civil actions—
HB 1264, pages 1657, 1804, 1950, 1977

Counties 96,000 to 109,000 population, introduction of certified copies
of hospital records as evidence—
SB 609, pages 1458, 1552

Cross claims and third party practice in civil actions at law, provided
for—
HB 621, pages 1156, 1550, 2103, 2129

Divorce suits, property settlements in—
HB 72, pages 554, 1030

Divorce suits, residence requirements in—
SB 22, pages 10, 199

Equity suits, compelling presentation of books, papers, and other
documents in certain cases—
HB 45, pages 1231, 1342
HB 46, pages 1232, 1343

Garnishment for collection of alimony or child support, exemption
of wages on writ of—
SB 411, page 572

Hospitals, regulating use of records as evidence—
HB 275, pages 210, 668

Hunting, fishing, or recreation, landowners duty toward persons on
their premises for purpose of—
HB 22, pages 357, 677, 1517, 1649

Insurance, state superintendent of, fee for acceptance of service of
legal process—
HB 230, pages 790, 902

Juries in civil actions, striking of—
SB 253, pages 226, 532, 614, 1875, 1896, 2133

Legal notices, rates for publication of—
HB 715, pages 633, 702, 1514, 1649
HB 716, pages 634, 702, 1514, 1649

Minors, recovery of damages from parents upon destruction of
property by—
HB 377, pages 798, 1030, 2091
SB 203, pages 162, 532

Non-resident owners and operators of boats and other water craft,
service of process on—
HB 622, pages 1155, 1343

CIVIL REMEDIES AND PROCEDURE (Continued)

- Notices, legal, supplemental publication of—
SB 178, pages 131, 268
- Person having defective hearing or speech, providing for an interpreter for—
HB 591, pages 799, 920, 1911, 1974
- Person rendering care at scene of accident, exemption from civil liability—
HB 16, page 1146
- Real property, prescribing period of redemption from sale under court decree, power of sale, deed of trust, or otherwise—
HB 573, pages 1080, 1342
SB 266, page 260
SB 349, pages 428, 669
- Service of process on non-residents, regulating—
HB 319, pages 580, 669
SB 544, page 1022
- Service of process upon certain defendants, evidence of—
HB 786, pages 1230, 1344
- Service of process upon non-resident defendant, evidence of—
HB 787, pages 1230, 1550
- Subpoena duces tecum, providing for use of—
HB 792, pages 1231, 1343
- Walker County, action of ejectment to recover real property by purchaser—
SB 598, pages 1261, 1506, 1572, 1967, 2092, 2134
- Walker County, introduction of certified copies of hospital records as evidence—
HB 742, pages 559, 701, 1041, 1212
SB 595, pages 1256, 1507, 1573, 1967, 2092

CIVIL SERVICE SYSTEMS

- See also: EMPLOYEES, STATE; cities and counties on a population basis; specific name of city or county—
- Alabama state hospitals, establishment of—
HB 703, pages 1524, 1694, 1862, 1958
- Houston County, city of Dothan, regulating operation of—
SB 613, pages 1704, 1801
- Mobile County, definitions under law creating—
HB 1069, pages 1715, 1801
- Morgan County, city of Decatur, creation of—
HB 784, pages 654, 821, 1003, 1208
- Shelby County, creating personnel appeals board—
HB 951, pages 868, 967, 1054, 1212
- State, employment of handicapped persons—
SB 422, pages 586, 920
- State, preference for employment of handicapped persons in—
HB 846, pages 1153, 1352

CIVIL WAR CENTENNIAL COMMISSION, ALABAMA

See: ALABAMA CIVIL WAR CENTENNIAL COMMISSION;
PARKS, MONUMENTS, AND HISTORICAL SITES: HISTORI-
CAL SITES—

CLARKE COUNTY

Court of county commissioners, compensation and expense allow-
ance for members—

HB 466, pages 400, 536, 600, 625

Hunting preserves, private, licensing and regulation of—

HB 467, pages 401, 536, 601, 625

Solicitor, county, appointment and compensation of secretary to—

SB 145, pages 72, 321, 447, 462, 745, 806, 828

Superintendent of education, compensation—

HB 453, pages 338, 373, 488

CLEBURNE COUNTY

County offices, closing of—

HB 27, pages 105, 236, 276, 456

CLERK, CIRCUIT

See: CIRCUIT CLERK—

CLUBS

Automobile clubs and associations, licensing and regulation of—

SB 7, pages 6, 672, 1518

COAL MINES

Explosives permissible under "Alabama Coal Mine Safety Law of
1949"—

HB 104, pages 210, 240, 350, 457

SB 18, pages 9, 128, 350

COBB, BUFORD

Marengo County, relief of—

SB 319, pages 319, 371, 451, 614, 619, 685

CODE OF ALABAMA 1940

Supplements to, appropriation for purchase of—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

CODE OF ALABAMA 1940 AMENDED

Title 2, Section 172, requiring a permit for the operation of a cotton
gin—

HB 190, pages 629, 702, 1217, 1550

Title 2, Sections 452 and 453, providing for the licensing, inspection,
and registration of nurseryment and their agents—

SB 409, page 572

Title 2, Section 492, regulating expenditure of funds for compiling
agricultural statistics—

HB 28, pages 1154, 1347, 1781, 1882

SB 83, pages 25, 917

CODE OF ALABAMA 1940 AMENDED (Continued)

Title 2, Section 674, providing for the issuance and revocation of permits for entomologists, pathologists, horticulturists, floriculturists, and tree surgeons—
SB 430, page 620

Title 2, Section 676, providing penalties for violating laws relating to entomologists, pathologists, horticulturists, floriculturists, and tree surgeons—
SB 430, page 620

Title 5, Section 13, providing for the annual assessment of certain fees on banks—
SB 39, pages 16, 46, 257, 900, 1231, 1245, 1451

Title 5, Section 81, prescribing the reserve banks are required to carry—
SB 38, pages 16, 46, 256, 1150, 1217, 1450

Title 5, Section 119, authorizing banks to pledge acceptable assets as security for certain deposits—
HB 202, pages 767, 919, 1644, 1729, 1879
SB 19, page 266

Title 7, Section 202, providing for service of process upon certain defendants—
HB 786, pages 1230, 1344

Title 7, Section 718, prescribing rates for publication of legal notices—
HB 715, pages 633, 702, 1514, 1649

Title 7, Sections 727, 728, 729, 735, 737, and 739, providing for and regulating redemption of real property sold under court decree, power of sale, or deed of trust—
HB 573, pages 1080, 1342
SB 266, page 260
SB 349, pages 428, 669

Title 8, Section 32, providing for issuance of non-resident state hunting license—
HB 330, pages 768, 1132, 1758, 1882, 1994, 2114

Title 8, Section 33, providing for issuance of non-resident trip hunting license—
HB 330, pages 768, 1132, 1758, 1882, 1994, 2114
HB 659, pages 1446, 1464

Title 8, Section 39, providing for the issuance of non-resident fishing licenses—
HB 61, pages 578, 1039

Title 8, Section 90, regulating the hunting of deer and wild turkeys—
HB 32, pages 1232, 1355
SB 86, page 25

Title 11, Section 98, providing for the compensation of jurors—
HB 600, pages 1742, 1803
SB 287, page 263

Title 11, Section 103, providing for witness fees in criminal cases—
SB 286, pages 263, 669

Title 12, Section 26, providing for the acquisition by county governing bodies of field notes of original surveys of read property—
HB 315, pages 358, 885

CODE OF ALABAMA 1940 AMENDED (Continued)

- Title 12, Section 70, providing for the state's participation in payment of the salary of county engineers—
SB 316, pages 311, 366, 902, 1863, 1896, 2133
- Title 13, Section 34, prescribing the fees of sheriffs—
HB 1131, pages 1438, 1503, 1615, 1790
- Title 13, Section 119, providing for the execution of judgment and granting of new trials—
HB 676, pages 792, 1028
- Title 13, Section 240, providing for payment of expenses of solicitors for duty outside their circuits—
SB 391, pages 480, 678, 1468, 1863, 1897, 2133
- Title 13, Section 255, providing for the appointment and compensation of deputy circuit solicitors of the fifteenth judicial circuit—
SB 242, pages 221, 671, 1474, 1874, 1896, 2133
- Title 13, Section 388, requiring bonds by justices of the peace—
SB 209, page 163
- Title 13, Section 428, providing for appeals from decisions of justices of the peace to the circuit court—
SB 207, page 163
- Title 14, Section 90, prescribing a penalty for possession of burglarious instruments—
HB 288, page 792
- Title 14, Section 161, defining a concealed weapon, and prescribing a penalty for carrying—
HB 269, page 793
- Title 14, Section 171, prescribing a penalty for shooting or throwing missiles into a dwelling house or other buildings—
HB 293, page 793
- Title 14, Section 217, prescribing a penalty for fraudulently obtaining money or goods on credit—
SB 35, pages 15, 366, 1483, 1875, 1896, 2132
- Title 14, Section 331, prescribing the penalty upon conviction of grand larceny—
SB 153, page 78
- Title 14, Section 334, prescribing the penalty for petit larceny—
SB 93, page 26
- Title 14, Section 432, prescribing a penalty for trespass on lands of another—
HB 937, pages 1380, 1805
- Title 15, Sections 401, 402, 404, 408, 410, 411, 412, 413, 414, 416, 419, 420, and 421, regulating the arrest, trial, and appeal of persons for breaching the peace—
HB 967, pages 1189, 1551
- Title 17, Section 21, providing for a broad for appointment of members of boards of registrars—
SB 46, pages 17, 126, 1518, 1734
SB 344, pages 355, 1353

CODE OF ALABAMA 1940 AMENDED (Continued)

Title 17, Section 24, fixing the compensation of members of boards of registrars—
SB 134, pages 65, 676
SB 288, page 263

Title 17, Section 27, providing for meeting days of boards of registrars—
HB 736, pages 554, 823, 1008, 1207

Title 17, Section 33, prescribing certain qualifications of electors—
HB 968, pages 1311, 1695

Title 17, Section 97, prescribing requirements for use of voting machines—
HB 386, pages 635, 888

Title 17, Section 145, regulating the printing of names of candidates on ballots—
HB 25, pages 1150, 1345
HB 100, pages 1151, 1343

Title 17, Section 157, providing for the voting of a straight party ticket—
HB 386, pages 635, 888

Title 17, Section 187 through 191, providing for and regulating the challenge of voters—
SB 482, pages 835, 973

Title 17, Section 198, providing for the compensation of election officials—
SB 377, pages 477, 974

Title 17, Section 222, providing for election of congressmen and presidential electors—
HB 25, pages 1150, 1345

Title 17, Section 224, requiring the governor to make estimates of returns and give notice of election of congressmen and presidential electors—
HB 25, pages 1150, 1345

Title 17, Section 225, providing means of breaking tie vote for presidential electors—
HB 25, pages 1150, 1345

Title 17, Section 425, dividing the state into congressional districts—
SB 6, page 6
SB 112, page 40
SB 208, pages 163, 367, 681, 719, 806, 817, 826, 829, 894, 1485, 1486, 1519, 1700, 1701, 1702, 1915
SB 292, page 302

Title 17, Section 426, providing for the election of congressmen by districts—
SB 112, page 40
SB 208, pages 163, 367, 681, 719, 806, 817, 826, 829, 894, 1485, 1486, 1519, 1700, 1701, 1702, 1915
SB 292, page 302

Title 22, Section 3, prescribing certain duties of the state committee of public health and the state health officer—
HB 55, pages 1443, 1556, 1952, 1977

CODE OF ALABAMA 1940 AMENDED (Continued)

- Title 22, Section 7, prescribing the power and authority of the state board of health—
HB 55, pages 1443, 1556, 1952, 1977
- Title 22, Section 9, providing for the appointment and compensation of the state health officer and certain professional employees—
HB 53, pages 579, 677, 1563, 1649
- Title 22, Section 95, providing for the examination of applicants for a marriage license—
HB 1075, pages 1739, 1798, 1952, 1977
SB 492, pages 838, 1342
- Title 22, Section 110, prescribing fees for the vaccination of dogs against rabies—
SB 121, pages 54, 677, 1468, 1875, 1896, 2133
- Title 22, Section 114, providing for the confinement of dogs which have bitten human beings—
SB 121, pages 54, 677, 1468, 1875, 1896, 2133
- Title 22, Section 199, providing for the care and treatment of tubercular patients—
SB 463, pages 691, 886, 1022, 1467, 1471, 1680
- Title 22, Section 207, providing for the composition and appointment of members of the milk control board—
HB 912, pages 1156, 1352, 1562, 1649
- Title 22, Section 208, providing for the appointment and compensation of employees of the state milk control board—
HB 912, pages 1156, 1352, 1562, 1649
- Title 22, Section 218, prescribing certain records to be kept by licensees of the state milk control board—
HB 912, pages 1156, 1352, 1562, 1649
- Title 23, Section 2, providing for the appointment of the state highway director—
SB 173, page 82
SB 339, pages 355, 1352
- Title 23, Section 31, regulating the working of convicts by the state highway department—
HB 916, pages 1229, 1351, 1807, 1959
SB 454, pages 689, 334
- Title 25, Section 5, providing for municipal housing authorities—
HB 731, pages 1226
- Title 26, Section 7, providing for the appointment of chief of the division of unemployment compensation—
SB 228, pages 209, 366
- Title 26, Section 191, defining wages under the unemployment compensation law—
SB 289, page 302
- Title 26, Section 199, regulating withdrawals from the unemployment compensation trust fund—
SB 227, pages 209, 366
- Title 26, Section 204, prescribing experience ratings under the unemployment compensation law—
SB 289, page 302

CODE OF ALABAMA 1940 AMENDED (Continued)

- Title 26, Section 207, prescribing benefits payable under the unemployment compensation law—
SB 289, page 302
- Title 26, Section 213, prescribing eligibility for benefits under the unemployment compensation law—
SB 289, page 302
- Title 26, Section 214, prescribing disqualifications for benefits under the unemployment compensation law—
SB 289, page 302
- Title 26, Section 221, providing for court review of decisions under the unemployment compensation law—
SB 289, page 302
- Title 26, Section 224, providing for period and termination of employer's coverage under unemployment compensation—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366
- Title 26, Section 225, providing for election of employer to come under unemployment compensation—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366
- Title 26, Section 243, providing for a refund of unemployment compensation contributions paid in error—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366
- Title 26, Section 293, providing for medical, surgical, and hospital service under the workmen's compensation law—
HB 97, pages 1524, 1693
- Title 28, Section 49, regulating granting of certificates of authority to insurance companies—
SB 273, pages 261, 673
- Title 28, Section 64, regulating deposits of securities by domestic insurance companies—
HB 272, pages 1446, 1799
SB 270, pages 261, 673
- Title 28, Section 143, regulating deposit of securities by foreign insurance companies—
HB 272, pages 1446, 1799
SB 270, pages 261, 673
- Title 28, Sections 245 through 316, regulating mutual aid associations, credit unions, and non-profit corporations for establishment of hospital plans—
HB 307, pages 1747, 1803
- Title 28, Section 321, providing for premiums to be charged by the state insurance fund—
HB 679, page 1669
SB 284, pages 263, 674
SB 491, pages 838, 1692
- Title 29, Section 73, prescribing unlawful sites for the sale of alcoholic beverages—
SB 176, pages 131, 932

CODE OF ALABAMA 1940 AMENDED (Continued)

Title 30, Section 3, providing for exemptions from jury duty—
SB 120, pages 50, 200, 351, 1877, 1926, 2133

Title 30, Sections 9 and 10, providing for the appointment of jury commissions—
SB 12, pages 7, 199
SB 340, pages 355, 1353

Title 30, Section 18, prescribing the duties of the clerk of jury commissions—
SB 12, pages 7, 199

Title 30, Section 20, regulating meetings of the jury commission in each county—
SB 12, pages 7, 199

Title 30, Section 21, prescribing qualifications of persons on jury rolls—
SB 12, pages 7, 199

Title 30, Section 54, providing for the striking of juries in civil actions—
HB 73, pages 141, 243, 578, 692, 1040, 1212
SB 253, pages 226, 532, 614, 1875, 1896, 2133

Title 32, Section 2, dividing the state into senatorial districts—
SB 498, pages 894, 1030

Title 32, Sections 3 and 4, providing for time and length of legislative sessions—
HB 301, pages 1312, 1692
SB 109, pages 34, 231, 353, 375, 889, 891, 906

Title 32, Section 5, providing for special sessions of the legislature—
HB 301, pages 1312, 1692

Title 32, Section 12, providing for the compensation and allowances of members of the legislature—
HB 301, pages 1312, 1692
SB 109, pages 34, 231, 353, 375, 889, 891, 906

Title 32, Section 13, providing for interim legislative committees—
HB 301, pages 1312, 1692

Title 34, Section 20, prescribing grounds for divorce—
HB 225, pages 210, 1029

Title 34, Section 27, prescribing residence requirements for divorce—
HB 264, pages 1153, 1550
SB 22, pages 10, 199

Title 34, Section 29, prescribing residence requirements for divorce—
HB 264, pages 1153, 1550
SB 22, pages 10, 199

Title 34, Sections 31, 32 and 33, regulating the granting of alimony after a divorce—
SB 570, page 1079

Title 35, Section 101, exempting national guardsmen and others from certain fees—
SB 327, pages 315, 1132

Title 36, Section 39, requiring mufflers on vehicles and prohibiting sifting of loads upon the highways—
SB 493, page 839

CODE OF ALABAMA 1940 AMENDED (Continued)

- Title 36, Section 41, prescribing additional lights permissible on motor vehicles—
HB 446, pages 1233, 1342, 1951, 1988, 2100
- Title 36, Section 68, providing for the suspension, revocation, or cancellation of drivers' licenses—
HB 841, pages 1217, 1552
SB 357, pages 440, 677
- Title 36, Section 89, regulating size and weight of motor vehicles and loads—
HB 584, pages 1745, 1804, 2115, 2130
HB 824, pages 1149, 1344
- Title 36, Section 90, providing for exemptions from size and weight limitations on motor vehicles—
HB 824, pages 1149, 1344
SB 379, page 478
- Title 37, Section 21, providing for forfeiture and causes of forfeiture of municipal charters—
HB 1160, pages 1447, 1464, 1813, 1960
- Title 37, Section 135, regulating elections to alter the boundaries of cities and towns—
HB 84, pages 549, 676, 1469, 1575
SB 59, pages 19, 241, 1469
- Title 37, Section 188, providing for the merger of contiguous municipalities—
HB 383, page 1082
SB 171, pages 82, 242
- Title 37, Section 404, providing for the election and compensation of the mayor and aldermen in cities and towns having a mayor-council form of government—
HB 86, pages 549, 676
SB 56, pages 18, 241
- Title 37, Section 521, requiring competitive bids by cities in letting contracts for public works—
HB 902, pages 1148, 1556, 1811, 1959
SB 479, pages 833, 1195
- Title 37, Section 583, providing for the appointment and duties of recorders—
HB 654, page 1232
SB 191, pages 136, 242
- Title 37, Section 781, providing for municipal boards of adjustment—
HB 726, pages 760, 1362, 1607, 1729, 1879
- Title 41, Section 152, prescribing the maximum salary for state employees—
HB 836, pages 768, 919, 1749, 1783, 1806, 1820, 2108, 2130
- Title 41, Section 154, regulating per diem and travel allowances for state employees—
HB 312, pages 794, 919, 1808, 1957
- Title 45, Section 32, providing for and regulating sentencing of convicts to imprisonment in the penitentiary—
HB 835, page 1153

CODE OF ALABAMA 1940 AMENDED (Continued)

Title 45, Sections 259 and 265, prescribing the liability of persons responsible for the care and support of inmates in state mental institutions—

HB 1077, pages 1189, 1343

Title 46, Section 2, providing for the appointment of members of the state board of public accountancy—

HB 158, pages 194, 267, 350, 457

SB 95, pages 26, 199, 350

Title 46, Section 4, prescribing fees charged applicants by the state board of public accountancy—

HB 158, pages 194, 267, 350, 457

SB 95, pages 26, 199, 350

Title 46, Section 5, issuance of certificate of registration to a public accountant from another state—

HB 158, pages 194, 267, 350, 457

SB 95, pages 26, 199, 350

Title 46, Section 6, revocation of a certificate issued by the state board of public accountancy—

HB 158, pages 194, 267, 350, 457

SB 95, pages 26, 199, 350

Title 46, Section 211, regulating advertising by optometrists—

HB 205, pages 554, 677, 909, 1020

Title 46, Section 258, prescribing authority of the state board of medical examiners—

HB 56, pages 1443, 1556, 1953, 1977

Title 46, Section 269, regulating issuance of certificate of qualification to physician or surgeon without examination—

HB 5, page 635

SB 66, pages 66, 201, 246, 1870, 1927, 2133

Title 47, Section 58, providing for the recordation of grants and patents issued by the state—

HB 317, pages 580, 669

Title 47, Section 196, regulating partition proceedings in probate court—

HB 134, pages 1225, 1343

Title 48, Section 9, providing for meetings and record of proceedings of the Alabama public service commission—

HB 580, pages 1748, 1799

Title 48, Section 13, providing for the appointment and qualifications of employees of the Alabama public service commission—

HB 579, pages 1149, 1805

Title 48, Section 77, prescribing time limitation for deciding cases by the Alabama public service commission—

HB 581, pages 1748, 1799

Title 50, Section 38, prohibiting diminishing of certain services by public improvement authorities—

HB 1002, pages 1117, 1191, 1691, 1730, 1879

Title 50, Section 40, prescribing power and authority of municipal public improvement authorities—

HB 1248, pages 1740, 1799

SB 591, pages 1251, 1464, 1677, 1985, 2094, 2134

CODE OF ALABAMA 1940 AMENDED (Continued)

- Title 51, Section 17, regulating assessment of property for taxation—
SB 246, page 222
- Title 51, Section 25, providing for assessment and taxation of corporate shares of stock of domestic corporations—
SB 274, pages 261, 673, 909, 920, 1231, 1245, 1451
- Title 51, Section 89, providing for the appointment of members of boards of equalization—
SB 441, page 621
- Title 51, Section 94, providing for term of service and compensation of members of boards of equalization—
SB 442, page 622
SB 552, page 1024
- Title 51, Section 122, providing assistant counsel for the state department of revenue—
SB 390, pages 480, 919
- Title 51, Section 133, providing for equalization of assessed property valuation among the various counties—
SB 440, page 621
- Title 51, Section 199, providing for payment of ad valorem tax by purchasers, lien holders, or mortgagee of real or personal property—
SB 70, pages 23, 1342
- Title 51, Section 289, excluding certain slot machines and other such devices from laws regulating use or operation of gaming devices—
HB 670, pages 1148, 1344
- Title 51, Section 348, levying a franchise tax on foreign corporations—
HB 1107, pages 1226, 1351, 2086, 2114
- Title 51, Section 388, providing for exemptions from the state income tax—
HB 117, pages 1237, 1347, 1759, 1882
- Title 51, Section 587, providing for the licensing of sales of sewing machines—
SB 92, page 26
- Title 51, Section 591, levying a privilege license tax on slot machines and other such gaming devices—
HB 671, pages 1148, 1344
- Title 51, Section 618, levying the recording privilege tax—
HB 165, pages 1745, 1798
- Title 51, Section 657, providing for the distribution of the proceeds of the state gasoline tax—
HB 451, pages 800, 886, 1071, 1208
- Title 51, Section 706, regulating transfer of motor vehicle license tags—
SB 231, pages 219, 544
- Title 51, Section 787, defining terms used under the state use tax law—
HB 572, pages 1189, 1350, 1816, 1957
HB 729, pages 1668, 1694, 1813, 1958
SB 381, pages 479, 919

CODE OF ALABAMA 1940 AMENDED (Continued)

- Title 51, Section 788, levying the state use tax—
HB 227, pages 358, 670, 1365, 1418, 1429
HB 684, pages 636, 917, 2085, 2114
SB 382, pages 479, 918
- Title 51, Section 789, prescribing exemptions from the state use tax—
SB 125, page 60
- Title 51, Section 910, providing for the disposition of the proceeds of various licenses and taxes—
SB 451, page 689
- Title 52, Sections 339, 340, 341, 342, 343, 344, and 347, providing for public school institutes—
HB 893, pages 1148, 1693
- Title 52, Section 365, defining creditable service under the teachers' retirement system—
SB 155, pages 80, 265, 464, 1268, 1368, 1451
- Title 55, Section 202, providing for the distribution of books and documents relating to public lands—
HB 316, pages 580, 888
- Title 55, Section 348, providing for the powers, duties, and authority of the state boxing and wrestling commission—
HB 1111, pages 1745, 1804
SB 531, pages 956, 1551
- Title 61, Section 301, regulating settlement of wills by consent without notice—
HB 411, pages 629, 920

CODE OF ALABAMA 1940 REPEALED

- Title 26, Section 203, prescribing rate of contributions by employees under unemployment compensation—
SB 289, page 302
- Title 26, Section 212, providing for unemployment compensation benefits after termination of military service—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366
- Title 41, Section 95, providing for bonds for county officers and employees—
SB 537, pages 960, 1029
- Title 41, Section 120, providing for bonds for state officers and employees—
SB 538, pages 960, 1029
- Title 46, Section 20, prohibiting the practice of architecture by corporations or partnerships—
SB 244, pages 222, 885
- Title 46, Section 210, authorizing department stores and other firms to operate optometry departments—
HB 205, pages 554, 677, 909, 1020
- Title 46, Sections 214 through 257, regulating the practice of pharmacy—
SB 579, page 1145
- Title 51, Section 676, prescribing the time for unloading gasoline—
HB 222, pages 1377, 1464, 1813, 1957

COFFEE COUNTY

- Adkinson, D. B., relief of—
HB 1238, pages 1661, 1697, 1851, 1962
- Board of registrars, relieved of duty of visiting precincts—
SB 578, pages 1144, 1357, 1571, 1878, 1927, 2133
- Circuit court, prosecution of misdemeanors—
HB 910, pages 844, 966, 1051, 1213
- Court of county commissioners, members relieved of liability for payment of certain claims—
HB 978, pages 930, 971, 1068, 1206
- Enterprise, city of, boundaries altered—
SB 67, pages 22, 37, 42, 198, 205, 425
- Reynolds, John Carlon, relief of—
HB 977, pages 929, 971, 1067, 1206
- Savings and loan associations, branch offices authorized—
SB 152, pages 77, 234, 272, 549, 568, 617

COLBERT COUNTY

- Bear Creek development authority, incorporation of—
HB 449, pages 491, 886, 1689, 1730, 1879
- Bear Creek development authority, incorporation of, CA—
HB 450, pages 493, 887, 1691, 1891
- Roads and bridges, construction, repair, and maintenance of—
SB 593, pages 1253, 1509, 1574, 1821, 1838, 1916
- Roads and bridges, referendum relating to construction, repair, and maintenance of—
SB 154, pages 79, 234, 463, 975
- Thirty-fourth judicial circuit, creation of—
HB 266, pages 196, 670, 1470, 1576

COLISEUM, STATE

- Appropriation, expenses of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Fat stock show, appropriation in aid of—
SB 62, page 21

COLLINS, REPRESENTATIVE CLARA STONE FIELDS

- Designated as delegate to convention of order of women legislators—
HJR 139, pages 1390, 1546

COMMISSION ON AGING

- Appropriation—
HB 159, pages 548, 670, 899, 1197
SB 402, page 485

COMMISSION ON EDUCATION, COUNTY

- Cullman County, appointment, qualifications, and terms of members—
HB 1114, pages 1304, 1506, 1623, 1792
SB 530, pages 955, 1034, 1398, 1659, 1703, 1915, 1945

COMMISSION ON EDUCATION WITH RESPECT TO ALCOHOLISM

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Appropriation to, and regulating deposit of fees collected by—

SB 510, pages 924, 1348

Mental health, creating single state agency to coordinate activities related to—

HB 699, pages 1269, 1557, 1897, 1914, 1935, 1953, 1969, 2115, 2130

SB 352, pages 430, 901

COMMISSION ON INTERGOVERNMENTAL COOPERATION, STATE

Created—

HB 892, pages 1444, 1560, 2091, 2097, 2130

SB 554, pages 1024, 1349

COMMISSION ON MENTAL ILLNESS OF THE SOUTHERN REGIONAL EDUCATION BOARD

Appropriation—

HB 396, pages 1110, 1346, 2080, 2113

SB 162, page 81

COMMISSION ON UNIFORM STATE LAWS

Appropriation—

HB 48, pages 794, 917, 2081, 2112

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 40, page 16

SB 157, page 80

COMMISSION TO PRESERVE THE PEACE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

COMMISSIONER OF EDUCATION, UNITED STATES

Schools, protesting threat to withhold funds from—

SJR 1, pages 28, 30, 31, 32, 38, 41, 43, 46, 47, 51, 56, 59, 138, 159, 425

COMMISSIONER OF LICENSES

Counties 57,000 to 61,000 population, creating office of—

HB 945, pages 866, 1036, 1412, 1577

Counties 76,000 to 96,000 population, fee for administering oath of acknowledging affidavit—

HB 1032, pages 1164, 1360, 1597

SB 469, pages 813, 971, 1065, 1366, 1429, 1679

Counties 76,000 to 96,000 population, office created—

HB 746, pages 631, 701, 744, 818

Counties 100,000 to 115,000 population, transfer of ownership of motor vehicles—

HB 1025, pages 1105, 1513, 1643, 1885

COMMITTEE OF PUBLIC HEALTH, STATE

Quorum for action by—

HB 55, pages 1443, 1556, 1952, 1977

COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

Creation of—

HB 201, pages 578, 672, 900, 1196

SB 113, page 40

COMMON CARRIERS

Employees operating locomotives, trains, and yard engines, qualifications of—

SB 370, page 474

Motor carriers, collection and distribution of proceeds of tax on fuel used by—

HB 326, pages 1446, 1559, 2085, 2113

SB 380, page 478

Railroad caboose or rider cars, requiring certain safety equipment on—

SB 371, page 474

COMMUNICATION SERVICES

Congress requested to repeal excise taxes on—

HJR 19, pages 103, 268, 460

COMPETITIVE BIDDING

Timber, minerals, and other natural resources on state-owned lands, regulating sale of—

SB 84, page 25

COMPTROLLER, COUNTY

Counties 51,000 to 56,000 population, compensation of—

SB 580, page 1145

CONCEALED WEAPONS

Straight razor, penalty for carrying—

HB 269, page 793

CONECUH COUNTY

Board of registrars, relieved of duty of visiting precincts—

HB 1211, pages 1390, 1504, 1682, 1936

Circuit clerk, clerical assistance—

HB 505, pages 435, 825, 1013, 1208

Evergreen, city of, industrial development of, CA—

HB 38, pages 138, 825, 1014, 1213

Judge of probate, clerical assistance—

HB 506, pages 435, 825, 1012, 1136, 1212

Railroads required to install warning devices at grade crossings—

SB 26, pages 10, 234, 271, 1521, 1569, 1680

Superintendent of education, compensation—

HB 585, pages 492, 675, 997

Superintendent of education, expense allowance—

HB 1269, pages 1719, 1801, 1944, 1975

Tax assessor, clerical assistance—

HB 507, pages 435, 533, 591, 616

HB 897, pages 765, 819, 996, 1199

CONFEDERATE VETERANS

Pensions for, appropriation for—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

CONGRESS, UNITED STATES

Alabama delegation requested to defeat legislation tampering with cotton acreage release and transfer program—

SJR 33, pages 374, 452, 488, 566

Alabama delegation requested to oppose enactment of bill curtailing right of citizens to bear arms—

HJR 56, page 1466

Communications services, requesting repeal of excise tax on—

HJR 19, pages 103, 268, 460

Dividing state into congressional districts—

SB 6, page 6

SB 112, page 40

SB 208, pages 163, 367, 681, 719, 806, 817, 826, 829, 894, 1485, 1486, 1519, 1700, 1701, 1702, 1915

SB 292, page 302

Memorialized to limit legislation on firearms—

HJR 118, pages 1120, 1240

Requested to propose an amendment repealing the income tax and prohibiting the federal government from engaging in commercial enterprises, CA—

HJR 97, pages 1708, 1932, 1934, 1935, 2073

Social security law, requested to amend to provide more equitable settlement of claims under—

HJR 142, page 1545

CONNER, JOSEPH A.

Commended—

HJR 135, pages 1322, 1547

CONSERVATION

See also: CONSERVATION, STATE DEPARTMENT OF; FISHING; GAME AND FISH; HUNTING; SOIL CONSERVATION COMMITTEE—

Bear Creek development authority, incorporation of—

HB 449, pages 491, 886, 1689, 1730, 1879

Bear Creek development authority, incorporation of, CA—

HB 450, pages 493, 887, 1691, 1891

Bear Creek watershed association, appropriation—

HB 399, pages 768, 887, 1691, 1882

SB 163, page 81

Choccolocco creek watershed association, appropriation—

HB 398, pages 1110, 1346, 2080, 2113

SB 165, page 81

Director of irrigation, creating office of—

SB 436, pages 621, 1038, 1564, 1998, 2094, 2134

CONSERVATION (Continued)

- Elk river development agency, creation of—
HB 1019, pages 1105, 1351, 1646, 1730, 1880
SB 133, pages 65, 154, 300, 917
- Forest products severance tax, collection and distribution of proceeds of—
SB 69, page 23
- Forest trees, suppression of infestation and disease in—
SB 85, pages 25, 901
- Sand Mountain area, development of irrigation districts and water conservation—
SB 435, pages 621, 1037, 1563, 1997, 2094, 2134
- Sand Mountain area, development of irrigation districts and water conservation, CA—
SB 434, pages 620, 1038, 1565, 2000, 2093, 2134
- Severance tax on forest products, collection and distribution of proceeds of—
SB 69, page 23
- Water management districts, organization of—
SB 364, pages 472, 670, 903, 1865, 1928, 2133
- Water management districts, organization of, CA—
SB 365, pages 472, 670, 904, 1877, 1926, 2133

CONSERVATION, STATE DEPARTMENT OF

- Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
HB 401, pages 1118, 1346, 2073, 2097, 2130
SB 157, page 80
SB 158, page 80
- Appropriation, capital outlay—
SB 582, page 1245
- Appropriation, construction of camp site at Desoto state park—
SB 132, page 62
- Appropriation, for purpose of qualifying under federal land and water conservation fund act—
SB 337, page 320
- Appropriation, parks division, for capital outlay—
SB 464, page 717
SB 465, page 718
- Appropriation, survey of state-owned lands—
SB 24, page 10
- Boats, regulating change in registration of—
HB 170, pages 634, 1350, 1814, 1957
- Cherokee County, licensing and regulation of private hunting preserves—
HB 353, pages 187, 238, 291, 459
- Cherokee County, limitations of fishing gear used by commercial fishermen—
HB 350, pages 515, 825, 1014, 1208, 1824, 1964

CONSERVATION, STATE DEPARTMENT OF (Continued)

Clarke County, licensing and regulation of private hunting preserves—

HB 467, pages 401, 536, 601, 625

Commercial fishing gear, penalty for illegal use of—

HB 753, page 1748

Coosa County, fishing regulated—

HB 469, pages 523, 699, 984, 1200, 1541, 1649

Counties 10,000 to 10,900 population, fishing regulated—

HB 750, pages 1438, 1507, 1854, 1958

Counties 13,500 to 14,000 population, regulating hunting of deer—

HB 995, pages 1097, 1191, 1585

Counties 14,300 to 14,800 population, fishing regulated—

HB 1101, pages 1296, 1507, 1624, 1792

Counties 18,000 to 19,000 population, fishing regulated—

SB 456, pages 690, 718, 992

Counties 18,000 to 19,400 population, fishing regulated—

SB 428, pages 620, 693, 730

Counties 18,000 to 19,400 population, regulating hunting of deer—

SB 429, pages 620, 694, 731, 1863, 1897, 2133

Counties 22,350 to 24,500 population, regulating hunting of deer—

HB 873, pages 758, 819, 996, 1199

Counties 31,000 to 32,000 population, authorizing nighttime hunting of raccoons—

HB 921, pages 856, 966, 1051, 1213

Counties 32,500 to 35,000 population, regulating hunting of deer—

HB 809, pages 769, 972, 1069, 1585, 1785

Counties 48,100 to 49,700 population, regulating hunting of deer—

HB 801, pages 790, 972, 1069, 1584, 1785

Counties 55,000 to 60,000 population, fishing regulated—

HB 606, pages 508, 675, 727, 942

Counties 65,000 to 95,000 population, fishing regulated—

HB 177, pages 138, 692, 728, 938

Counties 96,000 to 106,000 population, fishing regulated—

HB 759, pages 763, 822, 1003, 1208

SB 276, pages 261, 322, 593, 746, 807, 828

Counties 96,000 to 106,000 population, prohibiting taxing of certain costs for violation of game and fish laws—

HB 260, pages 173, 240, 291, 458

Counties 300,000 to 500,000 population, regulating hunting of deer—

HB 1234, pages 1531, 1696, 1851, 1962

Death benefit claims accruing against division of state parks, monuments, and historical sites, appropriation for payment of—

HB 1255, pages 1739, 1802

SB 586, page 1249

Deer and turkeys, regulating hunting of—

HB 32, pages 1232, 1355

SB 86, page 25

CONSERVATION, STATE DEPARTMENT OF (Continued)

- Deer and wild turkeys on wildlife management areas, special license for hunting of—
HB 693, pages 1150, 1347
- Deer, illegal nighttime hunting of, seizure and confiscation of property used in—
SB 42, page 16
- Director of irrigation, creating office of—
SB 436, pages 621, 1038, 1564, 1998, 2094, 2134
- Escambia County, licensing and regulation of private hunting preserves—
HB 477, pages 392, 536, 602, 625
- Fayette County, fishing regulated—
HB 437, pages 336, 535, 609, 944
- Fires when emergency drought condition exists, penalty for starting—
SB 77, pages 24, 40, 254
- Fish, electrical or shocking devices used in taking, seizure and confiscation of property used in—
SB 42, page 16
- Forest trees, suppression of infestation and disease in—
SB 85, pages 25, 901
- Fort Morgan historical commission, authorizing living quarters and sale of certain printed material by employees of—
SB 542, pages 963, 1196
- Game and fish fund, establishment of, CA—
HB 299, pages 1150, 1345
SB 37, page 16
- Gulf state park, repairing and furnishing of motel and water system at—
HB 848, pages 1445, 1559, 2091
SB 410, pages 572, 1030
- Hunting license, exempting residents over sixty-five from requirement for—
SB 437, pages 621, 888, 1018, 1736, 1758, 1916
- Hunting license for resident over sixty-five, special, provided for—
HB 692, pages 1150, 1347
- Hunting license, non-resident trip, fee for issuance of—
HB 659, pages 1446, 1464
- Hunting licenses, non-resident, types of, and charges for—
HB 330, pages 768, 1132, 1758, 1882, 1994, 2114
- Marion County, fishing regulated—
HB 297, pages 179, 1558, 1687, 1882
- Marshall County, fishing regulated—
SB 605, pages 1453, 1552, 1683, 1967, 2092, 2134
- Non-resident fishing licenses, fee for issuance of—
HB 61, pages 578, 1039

CONSERVATION, STATE DEPARTMENT OF (Continued)

Offshore seismic and geophysical crews, providing fund for use of—
HB 576, pages 1155, 1350
SB 214, pages 164, 1038

Sand Mountain area, development of irrigation districts, and water conservation—
SB 435, pages 621, 1037, 1563, 1997, 2094, 2134

Sand Mountain area, development of irrigation districts, CA—
SB 434, pages 620, 1038, 1565, 2000, 2093, 2134

State-owned lands, ascertainment of fair market value prior to sale of—
HB 131, pages 507, 1560

State parks, requesting recension of order requiring fees to be charged for entrance to—
SR 43, page 704

“Vessels,” definition of—
SB 15, page 7

Weiss lake, marking of river channel in—
HB 349, page 1239
SB 255, page 226

Wild game birds and animals, closing of baited areas—
HB 23, page 767
SB 21, pages 10, 1038

Winston County, fishing regulated—
HB 960, pages 1106, 1356, 1585

Wire baskets, privilege license tax for taking of fish with use of—
SB 82, pages 25, 1039

CONSTABLES

Counties 60,500 to 65,000 population, appointment of—
HB 1219, pages 1539, 1698, 1855, 1961

Counties 500,000 population or more, election of—
HB 775, pages 642, 696, 736, 940
SB 310, pages 307, 370, 976
SB 313, pages 308, 370, 976

Counties 500,000 population or more, nomination and election of—
HB 1030, pages 1147, 1361, 1713, 1885

Jefferson County, fees and commissions of—
HB 486, pages 420, 539, 1935, 1975

CONSTITUTION, STATE

Amendments proposed at 1965 special session, date for holding election on—
HJR 16, pages 101, 344, 462, 487

Amendments to, mode of adopting, CA—
SB 58, pages 19, 127

CONSTITUTIONAL AMENDMENT

- Ad valorem tax for library purposes, cities and counties authorized to levy—
HB 894, pages 1305, 1678
- Ad valorem tax on timber or forest lands, authorizing levy of—
HB 975, pages 1442, 1465
- Ad valorem taxes authorized to be levied by cities and towns, rate of—
SB 57, pages 19, 241
- Attorney general, succession to office—
SB 218, page 165
SB 415, page 573
- Auditor, state, abolishing office of—
SB 45, pages 17, 126
- Baldwin County, authorizing ad valorem tax for hospital purposes—
HB 1159, pages 1376, 1510, 1632, 1730, 1880
- Baldwin County, compensation and clerical assistance for county officers—
HB 708, pages 553, 718, 994, 1202
- Bonds issued by counties, requiring approval of electors prior to issuance of—
SB 97, pages 27, 128
- Bonds, requiring approval of electors prior to sale of—
SB 96, pages 27, 37, 58, 72, 129, 202, 215
- Bullock County, compensation and clerical assistance for tax assessor and tax collector—
HB 803, pages 791, 822, 1007, 1213
- Calhoun County, city of Anniston, levy of ad valorem tax for school purposes—
SB 186, pages 135, 235, 273, 549, 568, 617
- Cities, issuance of bonds for industrial development—
HB 1123, pages 1312, 1463, 1645, 1891
SB 519, pages 947, 1032
- Conecuh County, city of Evergreen, industrial development of—
HB 38, pages 138, 825, 1014, 1213
- Congress requested to propose an amendment repealing the income tax and prohibiting the federal government from engaging in commercial enterprises—
HJR 97, pages 1708, 1932, 1934, 1935, 2073
- Constitution, state, mode of adopting amendments to—
SB 58, pages 19, 127
- Constitutional amendment election to be held in August, 1965, payment of expense of—
HB 959, pages 1154, 1802
- Constitutional officers, succession to office—
SB 101, page 27
- Counties 500,000 population or more, establishment of civic center in county seat of—
HB 1178, pages 1440, 1502, 1616, 1793
SB 557, pages 1025, 1129, 1426

CONSTITUTIONAL AMENDMENT (Continued)

Dallas County, costs and charges in courts in—
HB 472, pages 1084, 1193, 1423, 1578

District attorney, office of circuit solicitor designated as—
HB 1016, pages 1155, 1345, 2116, 2131

Elk river watershed, authorizing public corporation for development of—
HB 1020, pages 1105, 1351, 1647, 1891
SB 478, pages 833, 1031

Etowah County, authorizing trial tax for establishment of law library—
HB 867, pages 766, 819, 998, 1202

Game and fish fund, establishment of—
HB 299, pages 1150, 1345
SB 37, page 16

Geneva County, industrial development of municipalities within—
SB 202, pages 162, 235, 274, 550, 569, 617

Governor, eligibility to run for United States senate—
SB 23, page 10

Greene County, compensation and clerical assistance of certain officers—
HB 268, page 178

Henry County, issuance of bonds for construction of courthouse and jail—
HB 889, pages 765, 970, 1063, 1205

House of representatives, election of—
HB 445, pages 1239, 1352

House of representatives, election of speaker by secret ballot—
SB 343, page 355

Income tax, allowance of federal income tax as a deduction in computing—
SB 100, pages 27, 126, 248, 1150, 1219, 1451

Jefferson County, authorizing legislature to regulate jurisdiction of inferior courts—
HB 557, pages 505, 696, 735, 943
SB 314, pages 309, 371, 976

Jefferson County, city of Birmingham, authorizing levy of ad valorem tax—
HB 1051, pages 1183, 1358, 1592, 1793

Lauderdale County, compensation and clerical assistance for judge of probate, circuit clerk, sheriff, tax assessor, tax collector, and register—
HB 454, pages 339, 373, 594, 616, 1240

Lee County, city of Auburn, authorizing additional ad valorem taxes—
HB 1132, pages 1272, 1504, 1615, 1792

Legislature, reapportionment of—
SB 496, pages 894, 919, 2134

CONSTITUTIONAL AMENDMENT (Continued)

Legislature, sessions of, and compensation and allowances of members—

HB 302, pages 1312, 1465

SB 110, pages 34, 231, 376, 890, 906

Lester, town of, authorizing industrial development of—

HB 1026, pages 1105, 1361, 1606, 1792

SB 490, pages 838, 971, 1064, 1366, 1430, 1680

Livingston, town of, industrial development of—

HB 1193, pages 1387, 1508, 1635, 1891

Marion County, refunding of certain bonds issued by municipalities in, and use of proceeds of—

HB 448, pages 338, 1558, 1688, 1890

Penal and correctional institutions, authorizing issuance of bonds for construction of—

SB 217, pages 165, 232

Persons eighteen or over qualified to register and vote—

SB 240, page 221

Political subdivisions affected by, method for voting on—

SB 102, pages 28, 1038

Poll tax, abolished—

SB 13, pages 7, 126

Poll tax, exemptions from—

HB 609, pages 1152, 1345

SB 212, page 163

Sales and use taxes, maximum rate of—

SB 237, pages 220, 1345

Sand Mountain area, development of irrigation districts and water conservation—

SB 434, pages 620, 1038, 1565, 2000, 2093, 2134

Schools, private, authorizing local financial assistance to—

SB 136, page 66

Senate, reapportionment of—

HB 24, pages 1737, 1797

Shelby County, compensation and clerical assistance of judge of probate, circuit clerk, register, sheriff, tax assessor, and tax collector—

HB 332, pages 182, 238, 285, 459

Sumter County, industrial development of—

HB 1194, pages 1387, 1508, 1635, 1891

Supreme court and court of appeals, selection and tenure of judges—

SB 293, pages 302, 365

Talladega County, authorizing levy of ad valorem tax in school district one—

HB 1076, pages 1182, 1360, 1682, 1891

SB 506, pages 915, 970, 1064, 1367, 1430, 1680

Walker County, city of Jasper, authorizing ad valorem tax for school purposes—

SB 350, pages 428, 534, 597, 746, 807, 828

CONSTITUTIONAL AMENDMENT (Continued)

Winston County, approval of special or local laws—
HB 346, pages 279, 367, 449, 489

Winston County, authorizing ad valorem tax for hospital purposes—
HB 197, pages 126, 372, 451, 489

CONTRABAND

Seizure, forfeiture, and disposition of vehicles used in committing
felony—
SB 376, page 47

CONTRACTORS, GENERAL

State licensing board for—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

CONTRACTS

Actions on contracts or in tort in which venue is improperly laid,
recovery of damages from plaintiff's attorney—
SB 573, pages 1140, 1341

Life insurance policies, assignment of—
HB 109, pages 779, 902, 2091

Public improvements, providing for contracts between the state
and municipalities in construction of—
HB 902, pages 1148, 1556, 1811, 1959

Uniform commercial code, adoption of—
SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, 714,
1863, 1873, 1916

Uniform vendor and purchaser risk act, adoption of—
HB 58, pages 1377, 1798

Use tax levied on tangible personal property used in performance
of—
SB 382, pages 479, 918

CONVICTS

See also: BOARD OF CORRECTIONS, STATE; PRISONERS;
PRISONS

Highway department, state, regulating working of—
HB 916, pages 1229, 1351, 1807, 1959
SB 454, pages 689, 884

Indigent convicted defendants, appropriation for appeals by—
HB 165, pages 1745, 1798

Sentencing of convicts to imprisonment in the penitentiary, regula-
ting—
HB 835, page 1153

COOSA COUNTY

Board of education, compensation of members—
HB 250, pages 210, 973, 1068, 1208

Fishing regulated—
HB 469, pages 523, 699, 984, 1200, 1541, 1649
HB 750, pages 1438, 1507, 1854, 1958

COOSA COUNTY (Continued)

Rockford, town of, boundaries altered—
HB 470, pages 524, 699, 985, 1119, 1201

Solicitor, county or deputy, expense allowance for—
HB 249, pages 210, 973, 1068, 1207

Teacher tenure, abolished—
HB 468, page 522

COOSA RIVER BASIN

Appropriation, survey of mineral, water, and petroleum resources
of—
SB 76, pages 24, 671
SB 211, page 163

CORONERS

Baldwin County, compensation and clerical assistance—
HB 1090, pages 1743, 1801, 1971, 1999, 2101

Calhoun County, compensation—
HB 856, page 753

Chambers County, fees and clerical assistance—
HB 425, pages 327, 535, 599, 624

Counties 15,400 to 16,000 population, expense allowance—
HB 1135, pages 1273, 1505, 1620, 1791

Counties 31,000 to 32,000 population, expense allowance—
HB 808, pages 780, 969, 1059, 1210

Counties 51,000 to 56,000 population, expense allowance—
HB 566, pages 762, 969, 1058, 1210

Counties 65,000 to 95,000 population, expense allowance—
HB 796, pages 644, 697, 737, 941

Counties 76,000 to 96,000 population, compensation—
HB 460, pages 551, 699, 741, 942

Counties 76,000 to 96,000 population, expense allowance—
HB 461, pages 551, 1356, 1588, 1785

Counties 96,000 to 106,000 population, expense allowance—
HB 1042, pages 1176, 1359, 1594, 1786

Madison County, compensation—
HB 827, pages 774, 821, 1002, 1209
SB 360, pages 466, 697, 738

CORPORATE LIMITS

See: BOUNDARIES; name of specific city or town—

CORPORATIONS

Agricultural credit corporations, taxation of—
HB 838, page 1739

Automobile clubs and associations, licensing and regulation of—
SB 7, pages 6, 672, 1518

Bear Creek development authority, incorporation of—
HB 449, pages 491, 886, 1689, 1730, 1879

CORPORATIONS (Continued)

- Bear Creek development authority, incorporation of, CA—
HB 450, pages 493, 887, 1691, 1891
- Dental service corporations, non-profit, incorporation of—
HB 307, pages 1747, 1803
SB 236, pages 220, 266
- Electronic and mechanical machines constituting data processing systems, authorized to carry as admitted assets—
HB 110, pages 799, 902, 1782, 1882
- Elk river development agency, creation of—
HB 1019, pages 1105, 1351, 1646, 1730, 1880
SB 133, pages 65, 154, 300, 917
- Foreign, having a name similar to another corporation, licensing of—
HB 108, pages 799, 902, 1780, 1882
- Foreign, levy of franchise tax on—
HB 1107, pages 1226, 1351, 2086, 2114
- Industrial development authority, state, dissolution and recreation of—
HB 935, pages 1108, 1194, 1911, 1987, 2100
SB 452, page 689
- Insurance companies, domestic, regulating proxies, consents, and authorizations with respect to securities issued by—
SB 272, page 261
- Insurance companies, exemption from taxation of corporate shares of stock of—
SB 274, pages 261, 673, 909, 920, 1231, 1245, 1451
- Insurance companies, granting of certificate of incorporation to company with name similar to company already licensed—
SB 273, pages 261, 673
- Insurance companies, regulation of proxies, consents and authorizations in respect to securities issued by—
HB 231, pages 400, 674, 908, 1196
- Municipal charters, forfeiture and causes of forfeiture of—
HB 1160, pages 1447, 1464, 1813, 1960
- Municipal public improvement authorities, powers and authority to dispose of property of—
HB 1248, pages 1740, 1799
SB 591, pages 1251, 1464, 1677, 1985, 2094, 2134
- Municipal, validating attempts to be organized—
HB 91, pages 549, 676
SB 49, pages 17, 240, 1017, 1878, 1926, 2133
- Production credit associations, corporate status of, and method of taxation of—
HB 153, pages 196, 533, 1019, 1203
- Public improvement authorities, providing for election to approve contract for sale or merger of assets and facilities—
HB 1002, pages 1117, 1191, 1691, 1730, 1879
- Public, to issue bonds for highways to be constructed jointly with federal government, incorporation of—
HB 452, pages 683, 885, 934, 1069, 1136, 1202

CORPORATIONS (Continued)

Secretary of state, authorizing photographic reproduction of certain records of—
HB 318, pages 580, 885

Service of process on—
HB 688, pages 1234, 1344, 1760, 1883

Water authorities, power of state health department to approve source of water furnished by—
SB 118, page 50

CORPS OF ENGINEERS, UNITED STATES

Commended—
SJR 2, pages 40, 138, 159, 425

COSMETOLOGISTS

Board of cosmetology, state, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Counties 300,000 to 500,000 population, licensing and regulating practice of—
HB 1146, pages 1380, 1579

COSTS AND FEES

Jurors, prescribing fees of—
HB 600, pages 1742, 1803

Notaries public, filing fees required of—
HB 314, pages 580, 669

COTTON

Alabama congressional delegation requested to defeat legislation tampering with acreage release and transfer program—
SJR 33, pages 374, 442, 488, 566

Committee created to study problems of production and processing of, continuation of—
HJR 4, pages 29, 63, 153

COTTON GINS

Annual permit required for operation of—
HB 190, pages 629, 702, 1217, 1550

COUNCIL OF STATE GOVERNMENTS

Appropriation—
HB 395, pages 1109, 1346, 2079, 2113
SB 159, page 80

Regional conference of, attendance of delegates at—
HJR 20, pages 104, 268, 460

COUNTIES GENERAL LAWS

Ad valorem tax for library purposes, authorizing levy of, CA—
HB 894, pages 1305, 1678

Board of equalization, appointment of members—
SB 441, page 621

COUNTIES GENERAL LAWS (Continued)

- Board of equalization, term of service and compensation of members—
SB 442, page 622
- Board of registrars, compensation of members—
SB 134, pages 65, 676
SB 288, page 263
- Bonds for officers and employees, execution of bonds required of—
SB 537, pages 960, 1029
- Bonds, requiring approval of electors prior to issuance of—
SB 96, pages 25, 37, 58, 72, 129, 202, 215
SB 97, pages 27, 128
- Constitutional amendments affecting, method for voting on—
SB 102, pages 28, 1038
- Economic Opportunity Act of 1964, authorized to use county funds and facilities to qualify for assistance under—
SB 489, pages 17, 240, 1017, 1878, 1926, 2133
- Elections on bond issues, validated—
HB 82, pages 490, 676
SB 51, pages 18, 240, 1018, 1878, 1926, 2133
- Elections to authorize special taxes, validated—
HB 93, pages 579, 676
SB 50, pages 18, 240, 1017, 1878, 1926, 2133
- Engineers, county, participation in employees' retirement system—
SB 317, pages 311, 366, 902, 1863, 1897, 2133
- Engineers, county, state's participation in payment of compensation of—
SB 316, pages 311, 366, 902, 1863, 1896, 2133
- Field notes of original surveys of real property, acquisition of—
HB 315, pages 358, 885
- Industrial development, development and operation of recreational and pleasure resorts—
SB 140, pages 66, 241
- Judge of probate, creating office of supernumerary chief clerk—
SB 197, page 159
SB 515, pages 925, 1030
- Physically handicapped, requiring public buildings to be made accessible to—
SB 68, pages 23, 201, 246, 1231, 1245, 1451
- Schools, private, authorizing financial assistance to, CA—
SB 136, page 66
- Schools, private, authorizing local financial assistance to—
SB 137, pages 66, 265
- Supernumerary tax assessors, tax collectors, and license commissioners, provided for—
SB 5, page 6

COUNTIES 10,000 TO 10,900 POPULATION

- Fishing regulated—
HB 750, pages 1438, 1507, 1854, 1958

COUNTIES 10,750 TO 12,000 POPULATION

County offices, closing of—
HB 27, pages 105, 236, 276, 456

COUNTIES 10,800 POPULATION OR LESS

Board of education, compensation of members—
HB 250, pages 210, 973, 1068, 1208
Solicitors, county or deputy, expense allowance for—
HB 249, pages 210, 973, 1068, 1207

COUNTIES 13,500 TO 14,000 POPULATION

Board of education, insuring of school buildings—
SB 468, pages 813, 965, 1047
Deer, regulating hunting of—
HB 995, pages 1097, 1191, 1585

COUNTIES 13,650 TO 14,350 POPULATION

Governing body, compensation of members—
HB 1186, pages 1381, 1691, 1857, 1960

COUNTIES 13,700 TO 14,300 POPULATION

Superintendent of education, compensation—
HB 821, pages 747, 822, 1006, 1207

COUNTIES 14,000 TO 15,000 POPULATION

Sheriff, expense allowance for deputies—
HB 1106, pages 1300, 1507, 1625, 1792
Supertintendent of education, expense allowance—
HB 1105, pages 1299, 1507, 1624, 1792

COUNTIES 14,300 TO 14,800 POPULATION

Fishing regulated—
HB 1101, pages 1296, 1507, 1624, 1792

COUNTIES 14,400 TO 14,900 POPULATION

Teachers in public schools, retirement age for—
HB 348, pages 280, 372, 452, 489

COUNTIES 15,300 TO 15,400 POPULATION

Board of education, expense allowance for members—
HB 541, pages 337, 718, 993, 1200

COUNTIES 15,400 TO 16,000 POPULATION

Coroner, expense allowance—
HB 1135, pages 1273, 1505, 1620, 1791

COUNTIES 16,150 TO 17,000 POPULATION

Governing body, travel allowance for members—
HB 426, pages 388, 535, 599, 624

COUNTIES 17,400 TO 17,800 POPULATION

Board of registrars, relieved of duty of visiting precincts—
HB 1211, pages 1390, 1504, 1682, 1936

Circuit clerk, clerical assistance—
HB 505, pages 435, 825, 1013, 1208

Judge of probate, clerical assistance—
HB 506, pages 435, 825, 1012, 1136, 1212

Superintendent of education, compensation—
HB 585, pages 492, 675, 997

Superintendent of education, expense allowance—
HB 1269, pages 1719, 1801, 1944, 1975

Tax assessor, clerical assistance—
HB 507, pages 435, 533, 591, 616
HB 897, pages 765, 819, 996, 1199

COUNTIES 18,000 TO 19,000 POPULATION

Fishing regulated—
SB 456, pages 690, 718, 992
SB 546, pages 1023, 1128, 1414

COUNTIES 18,000 TO 19,400 POPULATION

Deer, regulating hunting of—
SB 429, pages 620, 694, 731, 1863, 1897, 2133

Fishing regulated—
SB 428, pages 620, 693, 730

COUNTIES 19,000 TO 19,500 POPULATION

Judge of probate and circuit clerk, compensation of clerk—
HB 946, pages 927, 1035, 1585, 1786

Tax collector, sending of notices to taxpayers of taxes due—
SE 272, pages 475, 698, 739, 1154, 1218, 1450

COUNTIES 19,500 TO 20,000 POPULATION

Board of Education, insuring of school buildings—
SB 467, pages 812, 965, 1046, 1833, 1865, 2133

Excise taxes, repeal of—
HB 1046, pages 1179, 1360, 1597, 1786

Governing body, payment of expense allowance for members—
HB 1208, pages 1380, 1509, 1628, 1890
SB 571, pages 1080, 1193, 1424

COUNTIES 20,050 TO 21,850 POPULATION

Evidence in certain civil actions, admissibility of—
HB 1264, pages 1657, 1804, 1950, 1977

COUNTIES 21,000 TO 21,850 POPULATION

Register, clerical assistance—
HB 1066, pages 1182, 1307, 1559, 1689, 1886

COUNTIES 21,850 TO 21,950 POPULATION

Board of equalization, compensation of members—
HB 543, pages 400, 543, 614, 817

County offices, closing of—
HB 1212, page 1390

Tax assessor and tax collector, clerical assistance—
HB 1022, pages 1147, 1361, 1605, 1729, 1879

COUNTIES 21,900 TO 22,300 POPULATION

Sheriff, authorizing additional deputy—
HB 441, pages 337, 718, 993, 1200
HB 478, page 386

COUNTIES 22,000 TO 22,350 POPULATION

Economic Opportunity Act of 1964, participation in—
HB 1263, pages 1657, 1696, 1849, 1964
SB 599, pages 1263, 1505, 1618, 1821, 1838, 1916

COUNTIES 22,000 TO 23,500 POPULATION

Board of education, adoption of textbooks—
SB 439, pages 621, 698, 983, 1312, 1368, 1451, 1473, 1672, 1702, 1915

COUNTIES 22,350 TO 24,350 POPULATION

Board of registrars meeting places—
HB 1150, pages 1281, 1499, 1610, 1788

Engineer, compensation—
HB 157, pages 109, 674, 726, 940

Governing body, appointment and compensation of clerk—
HB 156, pages 109, 674, 726, 940

Governing body, expense allowance for members—
HB 154, pages 108, 698, 740, 937, 943
SB 553, pages 1024, 1128, 1414, 1728, 1757, 1915

Sheriff, authorizing additional deputies—
HB 155, pages 109, 535, 598, 624

COUNTIES 22,350 TO 24,500 POPULATION

Deer, regulating hunting of—
HB 873, pages 758, 819, 996, 1199

COUNTIES 24,500 TO 24,550 POPULATION

Industrial development of—
HB 509, pages 390, 541, 610, 944
HB 511, pages 390

Sheriff, compensation of deputies—
HB 286, pages 178, 238, 284, 459

Superintendent of education, compensation—
HB 287, pages 179, 238, 445, 488

Surplus commodities, storage and distribution of—
HB 510, page 390

COUNTIES 24,800 TO 25,400 POPULATION

Board of education, compensation and expense allowance of members—

HB 843, pages 768, 821, 1001, 1209

Governing body, mileage allowance for members—

HB 1201, pages 1387, 1508, 1627, 1889

SB 568, pages 1079, 1194, 1424

COUNTIES 25,400 TO 25,600 POPULATION

Superintendent of education, compensation and expense allowance—

HB 459, pages 399, 536, 600

SB 281, pages 262, 322, 448

COUNTIES 25,400 TO 25,675 POPULATION

Registration, compensation of clerk—

HB 1158, pages 1286, 1508, 1627, 1887

SB 543, pages 963, 1130, 1414, 1820, 1837, 1916

COUNTIES 25,500 TO 25,700 POPULATION

Board of equalization, expense allowance for members—

HB 1214, pages 1522, 1695, 1848, 1960

Governing body, expense allowance for members—

HB 18, pages 105, 236, 275, 456

COUNTIES 25,700 TO 26,000 POPULATION

Solicitor, county, appointment and compensation of secretary to—

SB 145, pages 72, 321, 447, 462, 745, 806, 828

COUNTIES 25,800 TO 26,700 POPULATION

Board of education, selection of textbooks and instructional material for use in public schools—

HB 966, pages 878, 1034, 1401, 1549, 1834, 1964

Superintendent of education, expense allowance—

HB 1235, pages 1530, 1696, 1852, 1962

COUNTIES 26,000 TO 27,000 POPULATION

Board of education, compensation and expense allowance for members—

HB 1136, pages 1274, 1503, 1682, 1887

Inferior court, compensation of judge and solicitor—

SB 512, pages 924, 972, 1395, 1659, 1702, 1829, 1893, 1915, 1928, 2134

Judge of probate, clerical assistance—

SB 511, pages 924, 972, 1394, 1659, 1702, 1915

Sheriff, clerical assistance—

SB 513, pages 924, 972, 1395

Superintendent of education, compensation—

HB 1007, page 1101

COUNTIES 26,600 TO 26,800 POPULATION

Circuit clerk, clerical assistance—

HB 216, pages 168, 535, 598, 624

COUNTIES 27,000 TO 30,000 POPULATION

Board of registrars, expense allowance for members—

HB 1162, pages 1378, 1507, 1634, 1887

SB 547, pages 1023, 1131, 1416

Governing body, expense allowance for members—

HB 518, pages 390, 542, 610, 944

COUNTIES 31,000 TO 32,000 POPULATION

Board of education, compensation of members—

HB 458, pages 343, 536, 592, 616

Coroner, expense allowance—

HB 808, pages 780, 969, 1059, 1210

Raccoons, authorizing nighttime hunting of—

HB 921, pages 856, 966, 1051, 1213

Superintendent of education, compensation—

HB 457, pages 343, 536, 592, 616

Superintendent of education, repealing provision for expense allowance—

HB 528, pages 384, 533, 594, 623

COUNTIES 31,500 TO 33,500 POPULATION

Board of equalization, expense allowance for members—

HB 1210, pages 1379, 1505, 1619, 1729, 1879

Insuring of public buildings, regulating—

HB 949, pages 867, 967, 1053, 1211, 1542, 1649

COUNTIES 32,000 TO 33,000 POPULATION

Governing body, compensation of members—

HB 877, pages 848, 969, 1060, 1210

COUNTIES 32,500 TO 35,000 POPULATION

Deer, regulating hunting of—

HB 809, pages 769, 972, 1069, 1585, 1785

COUNTIES 33,000 TO 36,000 POPULATION

Hunting preserves, private, licensing and regulation of—

HB 477, pages 392, 536, 602, 625

COUNTIES 35,700 TO 36,600 POPULATION

Economic Opportunity Act of 1964, participation in—

SB 517, pages 947, 1034, 1401, 1728, 1756, 1915

COUNTIES 36,600 TO 37,000 POPULATION

Branch banks, authorized—

HB 1125, pages 1296, 1504, 1618, 1791

HB 1276, pages 1722, 1802

SB 535, pages 960, 1033, 1396

SB 608, pages 1457, 1552, 1683, 1967, 2092, 2134

Library, public, establishment and operation of—

HB 1126, pages 1272, 1504, 1616, 1790

COUNTIES 38,000 to 45,000 POPULATION

Board of education, compensation of janitors—
SB 461, pages 691, 825, 1015

Board of equalization, compensation of members—
SB 460, pages 691, 826, 1016, 1366, 1429, 1679

Judge of probate, tax assessor, and tax collector, payment of dues
in associations for—
SB 462, pages 691, 825, 1014

COUNTIES 38,000 to 46,000 POPULATION

County court, expense allowance for judge—
HB 512, pages 379, 542, 724, 943
SB 283, pages 263, 367, 719

Solicitor, county, expense allowance—
SB 403, pages 485, 825, 1015, 1986, 2093, 2134

COUNTIES 42,000 to 46,000 POPULATION

Municipal gas districts, compensation of members of board of
directors—
SB 338, pages 355, 534, 596, 746, 807, 828

Solicitor, county or deputy, clerical assistance—
HB 919, pages 866, 966, 1052, 1211

Tax assessor and tax collector, clerical assistance—
HB 962, pages 854, 968, 1055, 1212

COUNTIES 45,575 to 46,500 POPULATION

Sheriff, appointment and compensation of deputies—
SB 331, pages 316, 372, 451, 615, 619, 685

COUNTIES 46,600 to 49,650 POPULATION

Solicitor, deputy, office abolished—
HB 1013, pages 1104, 1191, 1585

COUNTIES 47,000 TO 49,000 POPULATION

County court, compensation of register—
HB 872, pages 758, 819, 996, 1199

COUNTIES 48,020 TO 49,750 POPULATION

Judge, circuit, expense allowance—
HB 903, pages 927, 972, 1069, 1399, 1549

Voters, reidentification of—
HB 884, pages 767, 972, 1067, 1204

COUNTIES 48,100 TO 49,700 POPULATION

Deer, regulating hunting of—
HB 801, pages 790, 972, 1069, 1584, 1785

COUNTIES 48,200 TO 49,200 POPULATION

Board of registrars, meeting days and compensation of members—
HB 1163, pages 1378, 1512, 1640, 1887

COUNTIES 48,500 TO 49,500 POPULATION

Sheriff, fee for issuance of pistol permit—
HB 1094, pages 1373, 1509, 1631, 1886

COUNTIES 49,500 TO 50,000 POPULATION

Contingent fund, authorized—
HB 559, pages 551, 701, 991, 1191

Sheriff, authorizing additional deputies—
HB 558, pages 551, 675, 727, 941

COUNTIES 49,500 TO 50,500 POPULATION

Solicitor, county or deputy, expense allowance—
HB 513, pages 551, 700, 986, 1200

COUNTIES 50,000 TO 54,000 POPULATION

Municipal elections, regulating conduct of—
HB 1265, pages 1657, 1699, 1857
SB 600, pages 1263, 1511, 1574, 1821, 1838, 1916

COUNTIES 51,000 TO 55,000 POPULATION

Fine and forfeiture fund, payment and retirement of certain claims
against—
SB 291, pages 302, 533, 595, 1658, 1700, 1831, 1895, 2133

COUNTIES 51,000 TO 56,000 POPULATION

Comptroller, compensation—
SB 580, page 1145

Coroner, expense allowance—
HB 566, pages 762, 969, 1058, 1210

Sheriff, compensation of deputies and other assistants to—
HB 537, pages 761, 968, 1057, 1209

Solicitor, circuit, compensation of secretary to—
HB 536, pages 761, 968, 1057, 1209

Superintendent of education, expense allowance—
HB 539, pages 761, 968, 1058, 1210

Tax assessor, appropriation—
SB 257, pages 229, 267, 444, 1080, 1133, 1243

Tax collector, appropriation—
HB 1079, pages 1660, 1700, 1732, 1800, 1942, 1975

COUNTIES 54,000 TO 56,000 POPULATION

Judge, circuit, expense allowance—
HB 538, pages 761, 1193, 1936

COUNTIES 55,000 TO 60,000 POPULATION

Board of education, compensation of members—
HB 866, pages 757, 970, 1061, 1216

Fishing regulated—
HB 606, pages 508, 675, 727, 942

Pistol permit, fee for issuance of—
HB 865, pages 931, 1035, 1409, 1549

COUNTIES 57,000 TO 61,000 POPULATION

Board of registrars, meeting days of—
HB 736, pages 554, 823, 1008, 1207

Commissioner of licenses, creating office of—
HB 945, pages 866, 1036, 1412, 1577

County court, expense allowance for judge—
SB 583, pages 1245, 1513, 1575

County court, expense allowance for solicitor—
SB 584, pages 1246, 1504, 1572

Microfilming of records in the office of the judge of probate, register, and circuit clerk, provided for—
HB 944, pages 877, 1037, 1577

Precincts, designation of, and appointment and compensation of election officials—
HB 734, pages 554, 823, 1010, 1207

COUNTIES 60,000 POPULATION OR MORE

Juvenile court probation officers, compensation—
HB 675, pages 633, 918, 2097, 2111, 2130

COUNTIES 60,500 TO 65,000 POPULATION

Boards of education, city, selection of textbooks—
HB 456, pages 343, 373, 592, 616, 1125
SB 245, pages 222, 267, 593

Constables, additional, appointment of—
HB 1219, pages 1539, 1698, 1855, 1961

Economic Opportunity Act of 1964, participation in—
HB 1220, pages 1539, 1697, 1855, 1962
SB 516, pages 946, 1034, 1402, 1659, 1703, 1915

Hospitals, meetings of medical staff deemed privileged communications—
HR 1249, pages 1655, 1697, 1854, 1963

Justices of the peace, execution of civil process by—
HB 1219, pages 1539, 1698, 1855, 1901

COUNTIES 61,000 TO 65,000 POPULATION

Sheriff, creating civil service board of appeals relative to deputies of—
HB 717, pages 553, 1553, 1685, 1883

COUNTIES 65,000 TO 95,000 POPULATION

Coroner, expense allowance—
HB 796, pages 644, 697, 737, 941

Fishing, regulated—
HB 177, pages 138, 692, 728, 938

Governing body, compensation and expense allowance for members—
SB 421, pages 586, 693, 730, 1178, 1219, 1450

Judges, circuit, expense allowance—
SB 406, pages 570, 693, 729, 1155, 1218, 1450

COUNTIES 65,000 TO 95,000 POPULATION (Continued)

Sheriff, compensation—

HB 797, pages 633, 697, 983

SB 420, pages 586, 693, 730, 1216, 1219, 1451

Solicitor, circuit, expense allowance—

SB 407, pages 570, 693, 729, 1155, 1218, 1450

COUNTIES 76,000 TO 96,000 POPULATION

Ad valorem taxes, redemption of land sold for—

HB 904, pages 844, 971, 1066, 1205

Board of education, compensation of members—

HB 463, pages 631, 699, 741, 937, 943

Board of education, selection of textbooks—

HB 13, pages 138, 236, 275, 456, 915, 1197

City board of education, agreement with federal agencies for operation of schools on military bases—

HB 906, pages 1085, 1193, 1423, 1576

Commissioner of licenses, office created—

HB 746, pages 631, 701, 744, 818

Commissioner of licenses, prohibited from taking fee for administering oath or acknowledging affidavit—

HB 1032, pages 1164, 1360, 1597

SB 469, pages 813, 971, 1065, 1366, 1429, 1679

Coroner, compensation—

HB 460, pages 551, 699, 741, 943

Coroner, expense allowance—

HB 461, pages 551, 1356, 1588, 1785

County court, intermediate court, and register, clerical assistance—

HB 905, pages 844, 971, 1065, 1205

Judge of probate, trial of inquisitions of lunacy—

SB 251, pages 226, 250, 293, 551, 570, 617

Municipal hospitals, exempting schools of nursing from civil service system—

HB 804, pages 767, 972, 1067, 1204

COUNTIES 76,000 TO 109,000 POPULATION

Hospital records, introduction of certified copies as evidence—

SB 609, pages 1458, 1552

COUNTIES 76,000 TO 116,000 POPULATION

Hospital records, introduction of certified copies as evidence—

HB 1267, pages 1719, 1800, 1941, 1976

COUNTIES 96,000 TO 106,000 POPULATION

Bailiffs of circuit court, compensation—

HB 758, pages 763, 822, 1004

SB 233, pages 220, 252, 295, 627, 679, 716

Civil actions, providing for admissibility of certain evidence in—

SB 405, pages 570, 693, 979, 1968, 2092, 2134

COUNTIES 96,000 TO 106,000 POPULATION (Continued)

Coroner, expense allowance—

HB 1042, pages 1176, 1359, 1594, 1786

County court, expense allowance for judge—

HB 1215, pages 1539, 1685, 1848, 1961

Fishing regulated—

HB 759, pages 763, 822, 1003, 1208

SB 276, pages 261, 322, 593, 746, 807, 828

Game and fish laws, prohibiting taxing of certain costs for violation of—

HB 260, pages 173, 240, 291, 458

Governing body, compensation of members—

HB 900, pages 767, 819, 1835, 1875, 1959

Governing body, expense allowance for members—

HB 1117, pages 1378, 1504, 1844, 1876, 1960

Judge of probate, expense allowance—

HB 1041, pages 1176, 1359, 1596, 1729, 1879

License inspector, term of office—

SB 234, pages 220, 252, 294, 628, 679, 716

Solicitor, circuit, powers of—

HB 922, pages 927, 1035, 1409, 1549

Textbooks, selection of—

HB 1243, pages 1653, 1696, 1849, 1963

SB 594, pages 1256, 1504, 1571, 1821, 1838, 1916, 1949, 1986, 2091, 2134

COUNTIES 96,000 TO 116,000 POPULATION

Circuit clerk, providing for administrative consultant to—

HB 1273, pages 1721, 180, 1940, 1975

COUNTIES 100,000 TO 115,000 POPULATION

Board of equalization, compensation of members

HB 532, page 384

Board of registrars, per diem allowances for members—

HB 418, pages 325, 373, 976, 1196

Circuit clerk, expense allowance—

HB 1236, pages 1530, 1698, 1857, 1962

Commissioner of licenses, transfer of ownership of motor vehicles—

HB 1025, pages 1105, 1513, 1643, 1885

COUNTIES 110,000 TO 160,000 POPULATION

Ad valorem taxes, assessment of property for—

HB 1213, pages 1390, 1510, 1636

SB 576, pages 1144, 1357, 1571

Board of registrars, compensation of members—

HB 1207, pages 1380, 1510, 1636, 1890

Circuit court, compensation of deputy register and bailiff of family court divisions of—

HB 517, pages 380, 542, 725, 978

SB 192, pages 136, 235, 274, 550, 569, 617

COUNTIES 110,000 TO 160,000 POPULATION (Continued)

Family court division of circuit court, transfer of juvenile cases to adult division of—

HB 1139, pages 1276, 1509, 1628, 1887

Judge of probate, expense allowance—

HB 1206, pages 1385, 1510, 1636, 1890

SB 550, pages 1023, 1130, 1415, 1727, 1756, 1915

Judges, circuit, compensation—

SB 348, pages 428, 534, 720, 1154, 1218, 1450

Solicitor, circuit, expense allowance—

HB 719, pages 553, 701, 744, 818

SB 347, pages 427, 534, 720, 1190, 1218, 1450

COUNTIES 115,000 TO 160,000 POPULATION

Alcoholic beverages and beer, regulating sale of—

HB 514, pages 379, 542, 725, 1040, 1394

SB 263, pages 260, 322, 449, 615, 619, 685

COUNTIES 115,000 TO 165,000 POPULATION

Jury commission, compensation of members—

HB 1205, pages 1385, 1510, 1636, 1890

SB 551, pages 1024, 1131, 1416, 1727, 1757, 1915

Taxes and licenses, alternate method of assessing and collecting—

SB 222, pages 208, 239, 289, 550, 569, 617

COUNTIES 125,000 TO 200,000 POPULATION

Judge of probate, system of indexing and recording certain documents in office of—

HB 972, pages 1157, 1355, 1647, 1884

COUNTIES 125,000 TO 225,000 POPULATION

“Contributing to the delinquency of a child,” definition of, and penalty for—

SB 184, pages 135, 235, 273, 551, 568

COUNTIES 150,000 POPULATION OR MORE

Plumbers, examination and certification of—

SB 504, pages 915, 1361, 1598, 1996, 2094, 2134

COUNTIES 150,000 TO 400,000 POPULATION

Pistol permit, fee for issuance of—

HB 941, pages 931, 1036, 1412, 1577

COUNTIES 160,000 TO 250,000 POPULATION

Recorder and prosecuting attorney of recorder's court of cities within, compensation—

SB 282, pages 262, 321, 448

COUNTIES 225,000 TO 500,000 POPULATION

Juvenile court, creating office of judge of—

SB 189, page 136

SB 213, pages 164, 236, 463, 546, 1227, 1245, 1451

Register, deputy, appointment and compensation—

SB 188, pages 136, 964, 1042, 1991, 2093, 2134

SB 556, pages 1025, 1131, 1419, 1989, 2094, 2134

COUNTIES 300,000 TO 500,000 POPULATION

Cosmetology, licensing and regulation of practice of—
HB 1146, pages 1380, 1579

Deer, regulating hunting of—
HB 1234, pages 1531, 1696, 1851, 1962

Judge of probate, supernumerary, creating office of—
SB 514, pages 925, 1036, 1411

Judge of probate, temporary and special, providing for appointment
and compensation of—
HB 832, pages 780, 970, 1062, 1204

Jury commissions, compensation of members—
SB 562, pages 1028, 1131, 1418, 1728, 1757, 1915

Voting machines, regulating use of—
HB 1282, pages 1738, 1801, 1942, 1976

COUNTIES 300,000 TO 600,000 POPULATION

Arthropod control board, control of—
HB 1256, pages 1658, 1696, 1851, 1963, 2009, 2102
SB 587, pages 1249, 1512, 1641

Assessed values from appraised values of property, determination
of ratio percentages used in establishing—
HB 1015, pages 1371, 1512, 1640, 1884
SB 509, pages 923, 1036, 1410

Beer, draft, sale and distribution of—
SB 566, pages 1079, 1195, 1426

Board of health, designation of treasurer of—
HB 562, pages 643, 824, 1011, 1205

Judge of probate, compensation of general guardian appointed by—
HB 1281, pages 1801, 1942

COUNTIES 400,000 POPULATION OR MORE

Motor fuels, exemption from tax levied on—
HB 1053, pages 1184, 1358, 1585, 1593, 1787

Payrolls, certification of—
HB 1218, pages 1531, 1697, 1853, 1961

Sewer lines, lateral, outside corporate limits of municipalities within,
construction and improvement of—
HB 1179, pages 1441, 1500, 1611, 1789

Water supplies, fluoridation of—
HB 1266, pages 1660, 1696, 1939, 1987, 2100

COUNTIES 500,000 POPULATION OR MORE

Board of registrars, compensation of members—
HB 487, pages 413, 539, 603, 625
SB 309, pages 307, 370, 608

Circuit clerk, control and disposition of trust funds by—
HB 1130, pages 1268, 1501, 1612, 1788

County seat, establishment of civic center in—
HB 1176, pages 1461, 1554, 1686, 1888
SB 558, pages 1025, 1129, 1427

COUNTIES 500,000 POPULATION OR MORE (Continued)

County seat, establishment of civic center in, CA—

HB 1178, pages 1440, 1502, 1616, 1793

SB 557, pages 1025, 1129, 1426

Employees, payment of salaries of—

HB 1216, pages 1531, 1697, 1853, 1961

Judge of probate, supernumerary, creating office of—

HB 497, pages 417, 540, 978, 1198

SB 308, pages 307, 369, 976

Lodgings tax, levied—

HB 1177, pages 1439, 1503, 1614, 1790

Officers, state and county, nomination and election of—

HB 775, pages 642, 696, 736, 940

HB 1030, pages 1147, 1361, 1713, 1885

SB 310, pages 307, 370, 976

SB 313, pages 308, 370, 976

Sales and use taxes, levied—

HB 482, pages 408, 537, 721, 941, 1313, 1547

Scholarship fund, authorizing appropriation for—

HB 503, pages 435, 541

Sheriff, fees of—

HB 1131, pages 1438, 1503, 1615, 1790

Tobacco tax, levied—

HB 1175, pages 1439, 1501, 1613, 1788

COUNTIES 600,000 POPULATION OR MORE

Ad valorem taxes, redemption of lands sold for—

HB 1050, pages 1183, 1360, 1843, 1959

Alcoholic beverages, tax levied on—

HB 483, pages 409, 537, 722, 942, 1316, 1548

Beer, draft, sale and distribution of—

HB 1184, pages 1442, 1503, 1936, 2007, 2101

Circuit clerk and register of circuit court, destruction of certain papers—

HB 1054, pages 1184, 1358, 1593, 1789

Circuit clerk and register of circuit court, microfilming of certain documents—

HB 1055, pages 1184, 1359, 1594, 1787

Circuit court, providing for pre-trial conferences in certain cases in—

HB 774, pages 642, 696, 1836, 1875, 1958

Governing body, legislative power relative to licensing of businesses and professions—

SB 311, pages 308, 370, 1567

Inferior courts having exclusive jurisdiction of juveniles, compensation of judges—

HB 501, pages 419, 541, 607, 626

SB 305, pages 305, 369, 608

COUNTIES 600,000 POPULATION OR MORE (Continued)

Itinerant salesmen, prohibiting cities and towns from taxing sale of personal property by—

HB 1275, pages 1727, 1802, 1944, 1976

Lands sold for taxes, redemption of—

SB 303, pages 304, 368, 1567

Legal documents filed for record, penalty for not including name and address of person preparing—

HB 1001, pages 1107, 1553, 1712, 1822, 1892

Motion picture theatres, creating board to review and license exhibition of movies—

HB 1129, pages 1462, 1553, 1845, 1875, 1960

Supernumerary inferior court judges, providing for—

HB 555, pages 503, 695, 734, 939

Television facilities, community antenna, licensing and regulation of—

HB 546, pages 494, 694, 731, 938

SB 312, pages 308, 370, 976

COUNTY COMMISSION

See also: BOARD OF REVENUE; COURT OF COUNTY COMMISSIONERS; name of specific county and county governing body—

Calhoun County, compensation of members—

HB 883, page 758

Counties 500,000 population or more, election of members—

HB 775, pages 642, 696, 736, 940

SB 313, pages 308, 370, 976

Counties 500,000 population or more, nomination and election of members—

HB 1030, pages 1147, 1361, 1713, 1885

SB 310, pages 307, 370, 976

Counties 600,000 population or more, legislative power relative to issuance of licenses—

SB 311, pages 308, 370, 1567

Mobile County, appropriation for operation of art gallery—

HB 721, pages 643, 696, 982, 1200

COUNTY COURT

Calhoun County, compensation of judge—

HB 860, pages 755, 820, 999, 1204

Cherokee County, residence requirements for judge—

HB 1034, pages 1165, 1360, 1630, 1885

Contempt of court, appeals from judgments for—

HB 834, pages 1148, 1344, 2116, 2131

SB 567, page 1079

Counties 38,000 to 46,000 population, expense allowance for judge—

HB 512, pages 379, 542, 724, 943

SB 283, pages 263, 367, 719

Counties 47,000 to 49,000 population, compensation of register—

HB 872, pages 758, 819, 996, 1199

COUNTY COURT (Continued)

Counties 57,000 to 61,000 population, expense allowance for judge—
SB 583, pages 1245, 1513, 1575

Counties 57,000 to 61,000 population, expense allowance for solicitor—
SB 584, pages 1246, 1504, 1572

Counties 76,000 to 96,000 population, clerical assistance for—
HB 905, pages 844, 971, 1065, 1205

Counties 96,000 to 106,000 population, expense allowance for judge—
HB 1215, pages 1539, 1695, 1848, 1961

Dallas County, abolished and re-created—
HB 471, pages 1082, 1193, 1424, 1576

Elmore County, abolished—
HB 435, pages 328, 444, 535, 600, 624

Franklin County, abolished—
HB 923, pages 873, 966, 1583, 1651, 1794, 2006, 2102

Jackson County, compensation of ex officio solicitor—
HB 767, pages 749, 821, 1004, 1208

Jackson County, expense allowance for judge—
HB 766, pages 748, 822, 1004, 1208

Madison County, compensation of judge—
HB 1065, pages 1180, 1361, 1605, 1787
SB 523, pages 951, 1034, 1401, 1659, 1703, 1915, 1947

Marshall County, consolidation of branches of—
HB 1143, pages 1278, 1554, 1686

Marshall County, limitation on taxation of costs in—
SB 220, pages 206, 239, 288, 627, 679, 716

Tuscaloosa County, created—
HB 741, pages 554, 718, 994, 1198

COUNTY ENGINEER

See: ENGINEER, COUNTY

COUNTY SOLICITOR

See: SOLICITOR, COUNTY

COURT, CIRCUIT

See: CIRCUIT COURT

COURT, COUNTY

See: COUNTY COURT

COURT, INFERIOR

See: INFERIOR COURT

COURT, JUVENILE

See: JUVENILE COURT

COURT, LAW AND EQUITY

See: LAW AND EQUITY COURT

COURT OF APPEALS

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Children, time limitation for appeals from decrees affecting custody of—

HB 226, pages 210, 1029
SB 104, pages 33, 200, 348, 1863, 1896, 2132

Contempt of court, appeals from judgments for—

HB 834, pages 1148, 1344, 2116, 2131
SB 567, page 1079

Judges, election, qualifications, and term of office—

SB 294, page 302

Judges, selection and tenure, CA—

SB 293, pages 302, 365

Writs or error coram nobis, mode of procedure in bringing of—

HB 605, pages 1237, 1342

COURT OF APPEALS, UNITED STATES

Certification of questions of unresolved state law for answer by the state supreme court—

HB 672, pages 792, 1028

COURT OF COUNTY COMMISSIONERS

See also: BOARD OF REVENUE; name of specific county and county governing body—

Blount County, election, compensation, and expense allowance for members—

SB 477, pages 832, 965, 1066, 1522, 1568

Board of registrars, office space, equipment, supplies, and clerical assistance for—

HB 118, pages 1082, 1558
SB 98, pages 27, 676, 1514, 2000, 2093, 2134

Bullock County, collection and enforcement of sales and use taxes levied by—

SB 565, pages 1077, 1195, 1425

Bullock County, mileage allowance for members—

HB 1102, pages 1296, 1506, 1622
SB 528, pages 953, 1034, 1399, 1659, 1703, 1915

Bullock County, terms of members—

HB 1103, pages 1297, 1506, 1622
SB 529, pages 954, 1034, 1398, 1659, 1703, 1915

Chambers County, compensation of members—

HB 909, pages 854, 966, 1051, 1213

Clarke County, compensation and expense allowance for members—

HB 466, pages 400, 536, 600, 625

Coffee County, members relieved of liability for payment of certain claims—

HB 978, pages 930, 971, 1068, 1206

COURT OF COUNTY COMMISSIONERS (Continued)

- Counties 13,650 to 14,350 population, compensation of members—
HB 1186, pages 1381, 1699, 1857, 1960
- Counties 16,150, to 17,000 population, travel allowance of members
of—
HB 426, pages 388, 535, 599, 624
- Counties 22,350 to 24,350 population, appointment and compensation
of clerk—
HB 156, pages 109, 674, 726, 940
- Counties 22,350 to 24,350 population, expense allowance for mem-
bers—
HB 154, pages 108, 698, 740, 937, 943
SB 553, pages 1024, 1128, 1414, 1728, 1757, 1915
- Counties 24,800 to 25,400 population, mileage allowance for mem-
bers—
HB 1201, pages 1387, 1508, 1627, 1889
SB 568, pages 1079, 1194, 1424
- Counties 25,500 to 25,700 population, expense allowance for mem-
bers—
HB 18, pages 105, 236, 275, 456
- Counties 27,000 to 30,000 population, expense allowance for mem-
bers—
HB 518, pages 390, 542, 610, 944
- Counties 32,000 to 33,000 population, compensation of members—
HB 877, pages 848, 969, 1060, 1210
- Counties 49,500 to 50,000 population, authorizing contingent fund for
use of—
HB 559, pages 551, 701, 991, 1199
- Counties 65,000 to 95,000 population, compensation and expense al-
lowance for members—
SB 421, pages 586, 693, 730, 1178, 1219, 1450
- Counties 96,000 to 106,000 population, compensation of members—
HB 900, pages 767, 819, 1835, 1875, 1959
- Field notes of original surveys of real property, acquisition of—
HB 315, pages 358, 885
- Geneva County, expense allowance for members—
HB 1247, pages 1653, 1696, 1850, 1963
SB 590, pages 1250, 1505, 1621, 1821, 1838, 1916
- Randolph County, composition of commissioners districts—
HB 530, pages 407, 968, 1057, 1209
- Randolph County, duties, compensation, and expense allowance of
members—
HB 785, pages 638, 969, 1059, 1210
- Randolph County, election of members by district—
HB 529, pages 406, 968, 1056, 1211
- Wilcox County, compensation of members—
SB 518, pages 946, 1033, 1395, 1671, 1703, 1915
- Wilcox County, expense allowance for chairman of—
SB 520, pages 948, 1033, 1395, 1670, 1703, 1915, 2111

COURT OF COUNTY REVENUES

Dallas County, compensation of members—

SB 396, pages 480, 674, 725, 1155, 1218, 1265, 1447, 1450, 1452, 1680

COURT OF GENERAL SESSIONS

Mobile County, compensation of clerk—

HB 145, pages 1370, 1511, 1638, 1882

Washington County, clerical assistance for clerk of—

HB 183, pages 114, 674, 978, 1040, 1117, 1414, 1682

COURT REPORTERS

Appropriation, compensation of—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Judicial circuits composed of one county 47,000 to 49,000 population, compensation—

HB 1012, pages 1104, 1191, 1420, 1578

Seventh judicial circuit, compensation—

HB 858, pages 754, 820, 999, 1203

Twelfth judicial circuit, compensation—

HB 545, pages 526, 701, 743, 818

SB 328, pages 315, 371, 455, 747, 806, 828

Twenty-second judicial circuit, compensation—

HB 256, pages 171, 237, 271, 458

SB 146, pages 72, 127, 274

COURT REPORTERS, SUPERNUMERARY

Office abolished—

SB 150, pages 77, 201

Qualifications, duties, and compensation—

HB 52, pages 553, 920, 1822, 1891

SB 103, pages 33, 532

SB 448, page 637

COURT, SUPREME

See: SUPREME COURT

COURTHOUSES

Counties 21,850 to 21,950 population, closing of county offices—

HB 1212, page 1390

Henry County, issuance of bonds for construction of, CA—

HB 889, pages 765, 970, 1063, 1205

COVINGTON COUNTY

Court reporter, compensation—

HB 256, pages 171, 237, 271, 458

Railroads required to install warning devices at grade crossings—

SB 404, pages 485, 1195, 1567

Sheriff, compensation of deputies—

HB 44, pages 138, 236, 281, 456

CRENSHAW COUNTY

- Sheriff, expense allowance for deputies—
HB 1106, pages 1300, 1507, 1625, 1792
- Superintendent of education, expense allowance—
HB 1105, pages 1299, 1507, 1624, 1792
- Treasurer, county, office restored—
HB 911, pages 845, 966, 1052, 1211

CRIMES AND OFFENSES

- Alcoholic beverages, penalty for minor to purchase, consume, or transport—
SB 494, pages 894, 919, 2134
- Amphetamines, penalty for sale, possession, or distribution of—
HB 294, pages 799, 1557
- Assault and battery, penalty for—
HB 233, pages 768, 1805
- Barbiturates, penalty for violating laws relating to—
HB 289, page 793
- Breaching the peace, arrest, trial, and appeal of persons for—
HB 967, pages 1189, 1551
- Burglarious instruments, penalty for possession of—
HB 288, page 792
- Children, penalty for contributing to delinquency of—
SB 322, page 313
- Children, penalty for enticing for immoral purposes—
HB 232, pages 1239, 1805
SB 323, page 314
- Children, penalty for failure of father to comply with court order requiring support of—
HB 221, pages 1739, 1799
SB 105, pages 33, 668
- Children, penalty for indecent exposure in presence of—
HB 234, pages 1738, 1805
SB 321, page 313
- Children, penalty for indecent molestation of—
SB 324, page 314
- Children under sixteen, penalty for assault and battery upon—
SB 325, page 314
- Crime or riotous conduct, penalty for incitement of—
SB 604, page 1453
- Farm lands, penalty for throwing lighted material on—
SB 87, pages 25, 40, 256, 1518
- Felony and misdemeanor, statutory offenses of inciting—
SB 603, pages 1453, 1551
- Fires when emergency drought condition exists, penalty for starting—
SB 77, pages 24, 40, 254

CRIMES AND OFFENSES (Continued)

- Forest lands, penalty for throwing lighted materials on—
SB 87, pages 25, 40, 256, 1518
- Fraudulently obtained money or goods on credit, penalty for—
SB 35, pages 15, 366, 1483, 1875, 1896, 2132
- Funds credited to depositor's account through error, penalty for withdrawal of—
SB 36, pages 15, 583, 1483, 1877, 1926, 2133
- Garbage, trash, and refuse, penalty for dumping on lands of another—
HB 939, pages 1380, 1805
- Governor, penalty for using any person, money, or property under his control or in official custody for private purposes—
SB 342, pages 355, 1353
- Grand larceny, penalty for—
SB 153, page 78
- Highway right of way, penalty for throwing lighted material on—
SB 87, pages 25, 40, 256, 1518
- Livestock market, public, prohibiting sale of livestock near—
SB 41, pages 16, 243
- Obscene publications, motion pictures, pictures, and other obscene objects, regulating traffic in—
SB 320, page 313
- Petit larceny, penalty for—
SB 93, page 26
- Railroad rights of way, penalty for throwing lighted material on—
SB 87, pages 25, 40, 256, 1518
- Removing child from the state to thwart court order relative to custody of, penalty for—
SB 181, page 132
- Shooting or throwing missiles into dwelling house or other buildings, penalty for—
HB 293, pages 793
- Straight razor, penalty for carrying—
HB 269, page 793
- Surplus commodities, penalty for false representation of—
SB 108, pages 34, 54, 349, 1863, 1896, 2133
- Telecommunication service, penalty for fraudulently obtaining—
HB 728, pages 1269, 1551, 1816, 1958
- Trading stamps, penalty for selling, issuing, or receiving—
SB 111, pages 34, 1465
- Trespass on lands of another, disposition of fines on conviction of—
HB 937, pages 1380, 1805

CRIMINAL CASES

- Defendant pleading guilty, dispensing with jury verdict and fixing of punishment—
HB 374, page 1156
SB 170, page 82

CRIMINAL CASES (Continued)

Witnesses in, fees of—
SB 286, pages 263, 669

Writs of error coram nobis, mode of procedure in bringing of—
HB 605, pages 1237, 1342

CRIMINAL COURT

Jefferson County, abolished—
HB 488, pages 414, 539, 604, 622
SB 306, pages 306, 369, 608

Jefferson County, creating retirement system for circuit and deputy solicitors—
HB 1057, pages 1186, 1367, 1591, 1787

CROSSVILLE, TOWN OF

Boundaries altered—
SB 141, pages 67, 127, 247, 627, 678, 716

CULLMAN COUNTY

Board of equalization, expense allowance for members—
HB 1113, pages 1303, 1508, 1625, 1886
SB 471, pages 814, 965, 1048

Board of registrars, expense allowance of members—
HB 1112, pages 1302, 1508, 1626, 1886
SB 470, pages 813, 965, 1048

Board of revenue, expense allowance for associate members—
HB 1110, pages 1301, 1508, 1626, 1886
SB 472, pages 815, 965, 1048

Circuit clerk, clerical assistance—
HB 542, pages 384, 543, 613
SB 261, pages 259, 367, 450, 628, 679, 716

Circuit clerk, compensation—
HB 1109, pages 1300, 1508, 1655, 1792
SB 473, pages 816, 965, 1049

County court, expense allowance for judge—
SB 283, pages 263, 367, 719

Engineer, county, expense allowance—
HB 898, pages 765, 969, 1060, 1211
SB 449, pages 687, 964, 1045, 1522, 1568, 1680, 1709

Garden City, town of, boundaries altered—
HB 752, pages 645, 701, 744, 1818
SB 356, pages 433, 534, 597, 746, 807, 828

Hanceville, town of, boundaries altered—
HB 806, pages 769, 969, 1394
SB 399, pages 481, 698, 740, 1155, 1218, 1450

Municipal gas districts, compensation of members of board of directors—
SB 338, pages 355, 534, 596, 746, 807, 828

Solicitor, county or deputy, clerical assistance—
HB 919, pages 866, 966, 1052, 1211

CULLMAN COUNTY (Continued)

Tax assessor and tax collector, clerical assistance—
HB 962, pages 854, 968, 1055, 1212

Telephone systems, repealing act providing for operation by municipal corporations—
HB 354, pages 189, 238, 286, 459

DALE COUNTY

Board of education, compensation of members—
HB 458, pages 343, 536, 592, 616

Coroner, expense allowance—
HB 808, pages 780, 969, 1059, 1210

Jurors, compensation—
HB 1270, pages 1720, 1800, 1939, 1975

Raccoons, authorizing nighttime hunting of—
HB 921, pages 856, 966, 1051, 1213

Superintendent of education, compensation—
HB 457, pages 343, 536, 592, 616

Superintendent of education, repealing provision for expense allowance for—
HB 528, pages 384, 533, 594, 623

DALLAS COUNTY

Board of education, compensation of members—
HB 866, pages 757, 970, 1061, 1210

Costs and charges in courts in, CA—
HB 472, pages 1084, 1139, 1423, 1578

County court abolished and re-established—
HB 471, pages 1082, 1193, 1424, 1576

Fishing regulated—
HB 606, pages 502, 675, 727, 942

Judge of probate, clerk-register, tax assessor, tax collector, sheriff, and members of court of county revenues, compensation—
SB 396, pages 480, 674, 725, 1155, 1218, 1265, 1447, 1450, 1452, 1680

Pistol permit, fee for issuance of—
HB 865, pages 931, 1035, 1409, 1549

Selma, city of, boundaries altered—
HB 1115, pages 1287, 1505
SB 532, pages 956, 1033, 1397, 1659, 1703, 1915

DATA PROCESSING SYSTEMS

Electronic and mechanical machines constituting, companies authorized to carry as admitted assets—
HB 110, pages 799, 902, 1782, 1882

DAUPHIN ISLAND

Committee created to study feasibility of bridge connecting with Fort Morgan—
HJR 122, pages 1676, 1806, 1964, 2111, 2124

DEBT

See: Bonds

DECATUR, CITY OF

Boundaries altered—

SB 423, page 586

SB 585, pages 1246, 1506, 1572, 2107, 2119, 2125, 2126, 2128, 2129, 2131, 2135

Civil service system, creation of—

HB 784, pages 654, 821, 1003, 1208

Firemen, working hours of—

HB 722, pages 1737, 1803

SB 260, pages 250, 1031

Recorder, power and authority—

HB 1259, pages 1656, 1695, 1847, 1964

DEED OF TRUST

Real property, time limitation in which to exercise right of redemption—

HB 573, pages 1080, 1342

SB 266, page 260

SB 349, pages 428, 669

DEEDS

Recording privilege tax, amount of, and use of proceeds of—

HB 165, pages 1745, 1798

DEER

Counties 13,500 to 14,000 population, regulating hunting of—
HB 995, pages 1097, 1191, 1585

Counties 18,000 to 19,400 population, regulating hunting of—
SB 429, pages 620, 694, 731, 1863, 1897, 2133

Counties 22,350 to 24,500 population, regulating hunting of—
HB 873, pages 758, 819, 996, 1199

Counties 32,500 to 35,000 population, regulating hunting of—
HB 809, pages 769, 972, 1069, 1585, 1785

Counties 48,100 to 49,700 population, regulating hunting of—
HB 801, pages 790, 972, 1069, 1584, 1785

Counties 300,000 to 500,000 population, regulating hunting of—
HB 1234, pages 1531, 1696, 1851, 1962

Does and unantlered male deer, regulating hunting of—
SB 86, page 25

Hunting at night, illegally, seizure and confiscation of property used in—
SB 42, page 16

Hunting of, regulated—
HB 32, pages 1232, 1355
SB 86, page 25

Wildlife management areas, special license for hunting deer and wild turkeys on—
HB 693, pages 1150, 1347

DEKALB COUNTY

Adkins, Richard Smith, relief of—

SB 143, pages 69, 127, 247, 627, 678, 716

Board of education, compensation of janitors—

SB 461, pages 691, 825, 1015

Board of equalization, compensation of members—

SB 460, pages 691, 826, 1016, 1366, 1429, 1679

Branch banks, authorized—

SB 358, pages 441, 534, 720

County court, expense allowance for judge—

HB 512, pages 379, 542, 724, 943

SB 283, pages 263, 367, 719

Crossville, town of, boundaries altered—

SB 141, pages 67, 127, 247, 627, 678, 716

DeSoto state park, appropriation for construction of camp site in—

SB 132, page 62

Fort Payne, city of, appropriation for construction of high school—

SB 129, pages 61, 1030

Fort Payne, city of, appropriation for construction of public library—

SB 130, page 61

Fyffe, town of, appropriation for construction of auditorium in—

SB 131, page 61

Geraldine, town of, authorizing branch banks—

SB 400, pages 483, 826, 1016

Geraldine, town of, boundaries altered—

SB 401, pages 484, 825, 1016, 1366, 1429, 1679

Judge of probate, tax assessor, and tax collector, payment of dues in associations for—

SB 462, pages 691, 825, 1014

Powells Crossroads, town of, boundaries altered—

SB 611, pages 1460, 1552, 1781

Sheriff, appointment and compensation of deputies—

SB 142, pages 68, 127, 248, 627, 678, 716

Solicitor, county, expense allowance—

SB 403, pages 485, 825, 1015, 1986, 2093, 2134

DEMONSTRATIONS

Federal courts requested to regulate by judicial decree—

HJR 161, pages 1796, 1965

DENTAL SERVICE CORPORATIONS

Non-profit, incorporation of—

HB 307, pages 1747, 1803

SB 236, pages 220, 226

DENTISTS

Alabama dental service corporation act, enactment of—

HB 307, pages 1747, 1803

SB 236, pages 220, 266

DENTISTS (Continued)

Annual registration of, fee for—

HB 427, pages 1191, 1354

SB 193, pages 136, 201

Scholarship-loan and awards program, establishment of—

HB 586, pages 1111, 1349, 1818, 1957

SB 235, pages 220, 266

DEPARTMENT OF EDUCATION, STATE

Statewide financial report, filing of—

HB 634, page 1747

DEPARTMENT OF VETERANS' AFFAIRS, STATE

Veterans of World War I, World War II, and Korean conflict, payment of bonus to—

SB 232, page 219

DEPENDENT CHILDREN

See: INFANTS; MINORS; PENSIONS AND SECURITY, STATE DEPARTMENT OF

DEPOSITORY, STATE

Public funds, qualification of certain lending agencies for deposits of—

SB 474, pages 831, 1559

DESERTION AND NON-SUPPORT

Court order requiring father to support child, penalty for failure to comply with—

HB 221, pages 1739, 1799

SB 105, pages 33, 668

Removing child from the state to thwart court order relative to custody of, penalty for—

SB 181, page 132

DESOTO STATE PARK

Appropriation, construction of camp site at—

SB 132, page 62

DIESEL FUEL

Motor carriers, collection and distribution of proceeds of tax on fuel used by—

HB 326, pages 1446, 1559, 2085, 2113

SB 380, page 478

DISTRESS MERCHANDISE SALES

Licensing and regulation of—

HB 914, pages 1268, 1463, 1647, 1883

SB 487, pages 838, 920

DISTRICT ATTORNEY

Circuit solicitor designated as, CA—

HB 1016, pages 1155, 1345, 2116, 2131

DIVORCE

Alimony, maximum amount to be granted—
SB 570, page 1079

Grounds for, prescribed—
HB 225, pages 210, 1029

Residence requirements for—
HB 264, pages 1153, 1550
SB 22, pages 10, 199

Suits for, property settlements in—
HB 72, pages 554, 1030

DOCKS AND HARBORS

Alabama-Coosa river improvement association, incorporated, ap-
propriation—
HB 891, pages 1444, 1694

Alabama port authority authorized to issue bonds for development
and operation of—
SJR 51, pages 1220, 1355

Alabama port authority, creation and operation of—
SB 117, page 45

Alabama port authority, creation and operation of, CA—
SB 116, page 45

Alabama state docks department, reimbursement for dredging chan-
nel—
HB 577, pages 1149, 1805
SB 243, page 222

DOCKS DEPARTMENT, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Labor unions, participation of employees in—
SB 601, page 1263

DOCUMENTS

Counties 600,000 population or more, penalty for not including name
and address of person preparing legal documents filed for re-
cord—
HB 1001, pages 1107, 1553, 1712, 1822, 1892

DOGS

Fees for vaccination of dogs against rabies, and confinement of dogs
which have bitten human beings—
SB 121, pages 54, 677, 1468, 1875, 1896, 2133

DOTHAN, CITY OF

Civil service system, regulating operation of—
SB 613, pages 1704, 1801

Firemen, working hours of—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

DOTHAN, CITY OF (Continued)

Johnston, Hugh D., relief of—
HB 480, pages 398, 536, 602, 625

New Hope Industries, exemption from taxation—
HB 929, pages 1670, 1802, 2087, 2112, 2125, 2132

Retirement system, investment of funds of—
HB 1122, pages 1270, 1505, 1620, 1791
HB 928, pages 865, 970, 1063, 1205

Word, W. Ben, relief of—
HB 481, pages 398, 537, 603, 625

DRAINAGE DISTRICTS

Designation of—
SB 364, pages 472, 670, 903, 1865, 1928, 2133

Designation of, CA—
SB 365, pages 472, 670, 904, 1877, 1926, 2133

DRINKARD, WILLIAM H.

Mourning death of—
HJR 149, pages 1710, 1881

DRIVERS' LICENSES

Suspension of, regulating—
HB 841, pages 1217, 1552

DURAN, ORVILLE DAVID

Mourning death of—
HJR 93, pages 666, 938

DYNAMITE

Sale, possession, and use of, regulated—
HB 385, pages 628, 1551

Shooting or throwing missiles into dwelling house or other buildings, penalty for—
HB 293, page 793

EARTH MOVING EQUIPMENT

Sales tax levied on, alternate method of paying—
SB 572, pages 1080, 1349, 1566, 1877, 1927, 2133

ECLECTIC, TOWN OF

Jaycees commended—
HJR 182, pages 2002, 2102

ECONOMIC OPPORTUNITY ACT OF 1964

Counties authorized to make appropriations and use county facilities to qualify for assistance under—
SB 489, pages 838, 973, 1748, 1936, 2094, 2134

Counties 22,000 to 22,350 population, participation in—
HB 1263, pages 1657, 1696, 1849, 1964
SB 599, pages 1263, 1505, 1618, 1821, 1838, 1916

ECONOMIC OPPORTUNITY ACT OF 1964 (Continued)

Counties 60,500 to 65,000 population, participation in—
HB 1220, pages 1539, 1697, 1855, 1962
SB 516, pages 946, 1034, 1406, 1659, 1703, 1915

Limestone County, participation in—
SB 517, pages 946, 1034, 1401, 1728, 1756, 1915

ED E. REID TRADE SCHOOL

Designation of—
HJR 137, pages 1340, 1547

EDUCATION

See also: BOARDS OF EDUCATION; EDUCATION, DEPARTMENTS OF; SUPERINTENDENTS OF EDUCATION; TEACHERS; TRADE SCHOOLS; VOCATIONAL EDUCATION

"Alabama G. I. and Dependents Educational Benefit Act," prescribing certain requirements under—
HB 338, page 1153

"Alabama G. I. and Dependents Educational Benefit Act," reimbursement to certain institutions providing benefits under—
SB 160, pages 80, 266, 1365, 2104, 2123, 2134

Appropriation, public school fund—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Board of Education, state, Governor appoints members of—Pages
1473, 1579, 1930

Boards of education, trade schools, and state-supported educational institutions, filing of certain financial statement—
HB 634, page 1747

Commissioner of education, United States, protesting threat to withhold funds from public schools—
SJR 1, pages 28, 30, 31, 32, 33, 41, 43, 46, 47, 51, 56, 59, 138, 159, 425

Deaf children, appropriation for education of—
SB 561, pages 1028, 1349

Exceptional children, including emotionally disturbed children in educational program for—
HB 963, page 1153
HB 964, page 1153

Library science, providing for program of education in field of—
SB 354, pages 433, 543, 1513

Minimum school program, additional appropriation for—
SB 367, page 472

Minimum school program, determination of number of teacher units under—
SB 258, page 250

Real estate commission special education and scholarship fund, creation of—
SB 534, pages 960, 1348

EDUCATION (Continued)

- Sales tax, exempting school lunches and private schools from—
SB 384, pages 479, 918
- Scholarships, appropriation for, and number of—
HB 1059, pages 1669, 1802
SB 508, pages 923, 1559
- School institutes, regulating holding of—
HB 893, pages 1148, 1693
- Schools, private, authorizing financial assistance to—
SB 137, pages 66, 265
- Schools, private, authorizing financial assistance to, CA—
SB 136, page 66
- Teachers' retirement system, appropriation—
HB 864, page 1240
SB 366, page 472
- Teachers' retirement system, creditable service under—
SB 155, pages 80, 265, 464, 1268, 1368, 1451
- Teachers' salaries, calculating allotments for—
HB 1170, pages 1446, 1560
- Tuition grant for attendance at private schools, provided for—
SB 394, pages 480, 884, 1431, 1452, 1894, 1928, 2133

EDUCATION, STATE DEPARTMENT OF

- Appropriation—
HB 864, page 1240
HB 1140, pages 1739, 1802, 2084, 2114
SB 366, page 472
- Appropriation, supplemental—
SB 533, pages 959, 1347
- Commissioner of education, United States, protesting threat to withhold funds from public schools—
SJR 1, pages 28, 30, 31, 32, 38, 41, 43, 46, 47, 51, 56, 59, 138, 159, 425
- Tuition grant for attendance at private schools, provided for—
SB 394, pages 480, 884, 1431, 1452, 1894, 1928, 2133

EIGHTH JUDICIAL CIRCUIT

- Judges, expense allowance for—
HB 1283, pages 1725, 1800, 1940, 1977

ELECTIONS

- See also: BOARD OF REGISTRARS; PRIMARY ELECTIONS; REGISTRATION OF VOTERS; VOTERS; VOTING; VOTING MACHINES; name of specific city, town, or county—
- Absentee voting by seamen, sailors, and mariners, authorized—
HB 664, pages 1151, 1355, 1817, 1958
- Absentee voting, regulated—
HB 47, pages 1151, 1353
- Ballots, printing of names of candidates on—
HB 100, pages 1151, 1343

ELECTIONS (Continued)

- Challenge of voters, providing for and regulating—
SB 482, pages 835, 973
- Cities and counties, validating elections to authorize special taxes—
HB 93, pages 579, 676
SB 50, pages 18, 240, 1017, 1878, 1926, 2133
- Cities and towns, regulating elections to alter boundaries of—
HB 84, pages 549, 676, 1469, 1575
SB 59, pages 19, 241, 1469
- Cities 300,000 population or less, omitting name from ballot if only one person has filed statement of candidacy—
HB 87, pages 491, 668, 808, 945
- Constitutional amendment election to be held in August, 1965, payment of expenses of—
HB 959, pages 1154, 1802
- Counties 50,000 to 54,000 population, regulating conduct of municipal elections—
HB 1265, pages 1657, 1699, 1857
SB 600, pages 1263, 1511, 1574, 1821, 1838, 1916
- Counties 57,000 to 61,000 population, designation of precincts and appointment and compensation of election officials—
HB 734, pages 554, 823, 1010, 1207
- Counties 300,000 to 500,000 population, regulating use of voting machines—
HB 1282, pages 1738, 1801, 1942, 1976
- Counties 500,000 population or more, nomination and election of certain county, state, and party officers—
HB 1030, pages 1147, 1361, 1713, 1885
- County or municipal, on question of bond issues, validated—
HB 82, pages 490, 676
SB 51, pages 18, 240, 1018, 1878, 1926, 2133
- Election officials, compensation—
HB 80, page 1111
SB 377, pages 477, 974
- Expenses of, appropriation for payment of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Greene County, compensation of election officials—
SB 248, pages 223, 251, 349, 550, 570, 617, 1215, 1320, 1369, 1451
- Greene County, providing for use of voting machines—
SB 247, pages 222, 251, 375
- Lawrence County, compensation of election officials—
HB 1005, pages 1100, 1359, 1595, 1786
- Legislature, designation of places by number—
HB 489, pages 846, 974, 1426, 1576
- Persons eighteen or over qualified to register and vote—
SB 241, page 221
- Persons eighteen or over qualified to register and vote, CA—
SB 240, page 221

ELECTIONS (Continued)

Poll tax, abolished, CA—
SB 13, pages 7, 126

Poll tax, exemptions from, CA—
SB 212, page 163

President and vice-president, providing for right to vote on
candidates for—
HB 25, pages 1150, 1345

Public improvement authorities, providing for election to approve
contract for sale or merger of assets and facilities—
HB 1002, pages 1117, 1191, 1691, 1730, 1879

Voters enrolled in educational institutions, absentee voting by—
SB 20, pages 10, 888

Voting of straight party ticket in one operation, prohibiting—
HB 386, pages 635, 888

ELECTRIC SYSTEMS

Electric utility companies, prohibited from charging fees for con-
necting or disconnecting certain equipment—
SB 31, page 14

ELECTRONIC EQUIPMENT

Electronic and mechanical machines constituting data processing
systems, companies authorized to carry as admitted assets—
HB 110, pages 799, 902, 1782, 1882

ELEVENTH JUDICIAL CIRCUIT

Solicitor, compensation—
HB 508, pages 379, 1553, 1684, 1883

ELK RIVER DEVELOPMENT AGENCY

Appropriation—
SB 229, page 209

Creation of—
HB 1019, pages 1105, 1351, 1646, 1730, 1880
SB 133, pages 65, 154, 300, 917

ELK RIVER WATERSHED

Public corporation for development of, authorized, CA—
HB 1020, pages 1105, 1351, 1647, 1891
SB 478, pages 833, 1031

ELKMONT, TOWN OF

Boundaries altered—
HB 1277, pages 1725, 1801, 1942, 1976
SB 610, pages 1458, 1553, 1684, 1967, 2092, 2134

ELLIS, JUDGE THOMAS TALBOT

Mourning death of—
HJR 25, pages 197, 460

ELMORE COUNTY

Jurors, compensation—

HB 476, pages 386, 536, 601, 625

Law and juvenile court created in lieu of county court—

HB 435, pages 328, 444, 535, 600, 624

Sheriff, mileage allowances for deputies—

HB 1171, pages 1378, 1506, 1622, 1791

Solicitor, circuit, fund created for use of—

HB 359, pages 1189, 1356, 1589, 1784

Solicitor, deputy, compensation—

HB 475, pages 387, 536, 601, 625

EMINENT DOMAIN

Water management districts, organization of—

SB 364, pages 472, 670, 903, 1865, 1928, 2133

Water management districts, organization of, CA—

SB 365, pages 472, 670, 904, 1877, 1926, 2133

EMPLOY THE HANDICAPPED WEEK

Designation of—

HB 201, pages 578, 672, 900, 1196

SB 113, page 40

EMPLOYEES' INSURANCE BOARD, STATE

Creation of—

SB 128, pages 61, 265, 1735, 1966, 2091, 2134

EMPLOYEES' RETIREMENT SYSTEM

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Creditable service under, definition of—

HB 210, pages 194, 336, 900, 1196

SB 123, page 60

EMPLOYEES, STATE

See also: **CIVIL SERVICE SYSTEMS; RETIREMENT SYSTEMS—**

Docks department, state, participation of employees in labor unions—

SB 601, page 1263

Handicapped persons, preference for employment in state service—

HB 846, pages 1153, 1352

Insurance program, appropriation for payment of expenses of—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Maximum compensation of—

HB 836, pages 768, 919, 1749, 1783, 1806, 1820, 2108, 2130

Per diem expenses, amount of—

HB 312, pages 794, 919, 1808, 1957

Retirement system, benefits under, and method of financing—

HB 160, pages 490, 670, 1469

SB 14, pages 7, 264, 464, 1235, 1245, 1451

EMPLOYEES, STATE (Continued)

Retirement system, defining creditable service under—
HB 210, pages 194, 336, 900, 1196
SB 123, page 60

State employees' insurance board, creation of—
SB 128, pages 61, 265, 1735, 1966, 2091, 2134

EMPLOYERS

Workmen's compensation law, pooling of liabilities to become self-insurers under, provided for—
SB 135, page 65

ENGINEERS, COUNTY

Compensation of, state's participation in payment of—
SB 316, pages 311, 366, 902, 1863, 1896, 2133

Counties 22,350 to 24,350 population, compensation—
HB 157, pages 109, 674, 726, 940

Cullman County, expense allowance—
HB 898, pages 765, 969, 1060, 1211
SB 449, pages 687, 964, 1045, 1522, 1568, 1680, 1709

Employees' retirement system, participation in—
SB 317, pages 311, 366, 902, 1863, 1897, 2133

ENGINEERS, PROFESSIONAL

Board of registration for professional engineers and land surveyors, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

ENTERPRISE, CITY OF

Boundaries altered—
SB 67, pages 22, 37, 42, 198, 205, 425

ENTERPRISE JUNIOR COLLEGE

"George C. Wallace Hall," designation of—
SJR 67, pages 1931, 1978, 2095, 2134

ENTOMOLOGISTS

Qualifications, annual permit, and penalty for performing services without permit—
SB 430, page 620

EQUITY SUITS

Books, papers, and other documents, compelling presentation of, in certain cases—
HB 45, pages 1231, 1343
HB 46, pages 1232, 1343

ESCAMBIA COUNTY

Board of county commissioners, expense allowance for members—
HB 1240, pages 1663, 1695, 1848, 1963

Board of equalization, compensation of members—
HB 991, pages 1095, 1192, 1633, 1883

ESCAMBIA COUNTY (Continued)

- Board of registrars, compensation of members—
HB 992, pages 1096, 1192, 1633, 1885
- Brewton, city of, boundaries altered—
HB 754, pages 646, 719, 994, 1199
- Deer, regulating hunting of—
HB 809, pages 769, 972, 1069, 1585, 1785
- Garbage, trash, or debris along public roads, regulating placing,
leaving, or dumping of—
HB 990, pages 1084, 1192, 1634, 1883
- Hunting preserves, private, licensing and regulation of—
HB 477, pages 392, 536, 602, 625
- Tax collector, sending of notices to taxpayers by mail—
HB 1239, pages 1662, 1697, 1852, 1963
- Voters, reidentification of—
HB 1241, pages 1665, 1696, 1849, 1963

ESTATES

- Administration of wills, settlement by consent without notice—
HB 411, pages 629, 920
- Assets in kind to surviving spouse, regulating distribution of—
SB 180, pages 131, 1348
- Fiduciaries, authorizing agreement with taxing authorities in dis-
tributing assets of an estate or trust to surviving spouse—
SB 179, page 131
- Tax refunds due decedent, payment of—
HB 680, pages 792, 1029
SB 295, pages 303, 671, 1450
- Walker County, probation of uncontested wills—
SB 596, pages 1258, 1507, 1573, 1967, 2092

ETHELSTVILLE, TOWN OF

- Boundaries altered—
SB 592, pages 1251, 1507, 1580, 1821, 1838, 1916

ETOWAH COUNTY

- Bailiffs of circuit court, compensation of—
HB 758, pages 763, 822, 1004
SB 233, pages 220, 252, 295, 627, 679, 716
- Barbers' commission, compensation of members—
HB 74, pages 141, 239, 289, 457
- Barbers' commission fees for issuance or renewal of licenses—
HB 75, pages 142, 240, 290, 457
- Board of revenue, compensation of members—
HB 900, pages 767, 819, 1835, 1875, 1959
- Board of revenue, expense allowance for members—
HB 1117, pages 1378, 1504, 1844, 1876, 1960
- Circuit clerk, providing for administrative consultant to—
HB 1273, pages 1721, 1800, 1940, 1975

ETOWAH COUNTY (Continued)

- Civil actions, providing for admissibility of certain evidence in—
SB 405, pages 570, 693, 979, 1968, 2092, 2134
- Coroner, expense allowance—
HB 1042, pages 1176, 1359, 1594, 1786
- County court, expense allowance for judge—
HB 1215, pages 1539, 1695, 1848, 1961
- Fishing regulated—
HB 759, pages 763, 822, 1003, 1208
SB 276, pages 261, 322, 593, 746, 807, 828
- Gadsden, city of, boundaries altered—
HB 756, pages 786, 822, 1005, 1200
SB 575, pages 1142, 1355, 1570, 1821, 1838, 1915
- Gadsden, city of, compensation of mayor and commissioners—
HB 76, pages 143, 971, 1839, 1876, 1951
- Gadsden, city of, working hours for firemen—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031
- Game and fish laws, prohibiting taxing of certain costs for violation of—
HB 260, pages 173, 240, 291, 458
- Glencoe, town of, boundaries altered—
HB 262, pages 173, 240, 291, 458
SB 574, pages 1140, 1356, 1570, 1821, 1837, 1915
SB 575, pages 1142, 1355, 1570, 1821, 1838, 1915
- Hokes Bluff, town of, altered—
HB 263, pages 176, 240, 290, 458
- Hospital records, introduction of certified copies as evidence—
HB 1267, pages 1719, 1800, 1941, 1976
SB 609, pages 1458, 1552
- Judge of probate, expense allowance—
HB 1041, pages 1176, 1359, 1596, 1729, 1879
- Law library, authorizing trial tax for establishment of, CA—
HB 867, pages 766, 819, 998, 1202
- Law library, trial taxes for operation of—
HB 1242, pages 1652, 1695, 1847, 1963
- License inspector, term of office—
SB 234, pages 220, 252, 294, 628, 679, 716
- Rainbow City, town of, boundaries altered—
HB 64, pages 139, 239, 289, 456
HB 756, pages 786, 822, 1005, 1200
- Solicitor, circuit, powers of—
HB 922, pages 927, 1035, 1409, 1549
- Southside, town of, boundaries altered—
HB 755, pages 784, 822, 1005, 1200
HB 757, pages 787, 822, 1005, 1208
SB 149, pages 75, 234, 272, 627, 678, 716
- Textbooks, selection of—
HB 1243, pages 1653, 1696, 1849, 1963
SB 594, pages 1256, 1504, 1571, 1821, 1838, 1916, 1949, 1986, 2091, 2134

EVERGREEN, CITY OF

Industrial development of, CA—
HB 38, pages 138, 825, 1014, 1213

EVIDENCE

Counties 20,050 to 21,850 population, admissibility of evidence in certain civil actions—
HB 1264, pages 1657, 1804, 1950, 1977

Counties 60,500 to 65,000 population, meetings of hospital medical staff deemed privileged communications—
HB 1249, pages 1655, 1697, 1854, 1963

Counties 76,000 to 109,000 population, introduction of certified copies of hospital records as evidence—
SB 609, pages 1458, 1552

Counties 76,000 to 116,000 population, introduction of certified copies of hospital records as evidence—
HB 1267, pages 1719, 1800, 1941, 1976

Counties 96,000 to 106,000 population, admissibility of certain evidence in civil actions—
SB 405, pages 570, 693, 979, 1968, 2092, 2134

Hospital records, regulating use of—
HB 275, pages 210, 668

Walker County, introduction of certified copies of hospital records as evidence—
HB 742, pages 559, 701, 1041, 1212
SB 595, pages 1256, 1507, 1573, 1967, 2092

EXAMINERS OF PUBLIC ACCOUNTS, STATE DEPARTMENT OF

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Assistant chief examiner, compensation—
SB 195, pages 137, 672

Auditor, state, office abolished, and duties and authority transferred to—
SB 47, pages 17, 127

Suits against any examiner, required to be brought in the circuit court of Montgomery County—
SB 539, page 960

EXCISE TAXES

Congress requested to repeal excise taxes on communication services—
HJR 19, pages 103, 268, 460

EXECUTORS

Administration of wills, settlement by consent without notice—
HB 411, pages 629, 920

Agreement with taxing authorities in distributing the assets of an estate or trust to surviving spouse, authorized—
SB 179, page 131

EXECUTORS (Continued)

Assets in kind to surviving spouse, regulating distribution of—
SB 180, pages 131, 1348

Fiduciaries, powers and duties with respect to distribution of property in kind—
SB 564, pages 1077, 1344

EXPLOSIVES

“Alabama Coal Mine Safety Law of 1949,” explosives permissible under—
HB 104, pages 210, 240, 350, 457
SB 18, pages 9, 128, 350

Cities 300,000 population or more, training of firemen and policemen in disarming or neutralizing of—
HB 1180, pages 1441, 1500, 1629, 1889

Dynamite, regulating sale, possession, and use of—
HB 385, pages 628, 1551

Shooting or throwing missiles into dwelling house or other buildings, penalty for—
HB 293, pages 793

FAIR AUTHORITY, STATE

Appropriation, construction of livestock exhibit building—
SB 259, pages 250, 671

FARM MARKETING FACILITIES

Alabama food processing and marketing commission, creation of—
HB 583, page 1189
SB 250, page 225

FARMER'S DAY

Appreciation for lunch given legislature on—
SR 8, page 56

FARMERS' MARKET AUTHORITY, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
HB 401, pages 1118, 1346, 2073, 2097, 2130
SB 157, page 80
SB 158, page 80

Establishment of—
HB 597, pages 1312, 1463
SB 99, pages 27, 675, 1476, 1877, 1926, 2133

FAYETTE COUNTY

Board of education, compensation of members—
HB 1119, pages 1291, 1513, 1642, 1886

Fishing, regulated—
HB 437, pages 336, 535, 609, 944

Sheriff, appointment and compensation of additional deputy—
SB 351, pages 429, 534, 597, 881, 914, 923

Superintendent of education, compensation—
HB 1118, pages 1290, 1573, 1642, 1886

FEDERAL DISTRICT COURTS

Certification of questions of unresolved state law for answer by the state supreme court—
HB 672, pages 792, 1028

FEDERAL LAND AND WATER CONSERVATION FUND ACT—

Appropriation to state department of conservation for purpose of qualifying under—
SB 337, page 320

FELONY

Seizure, forfeiture, and disposition of vehicles used in committing—
SB 376, page 477

Statutory offenses of inciting to, penalty for—
SB 603, pages 1453, 1551

FIDUCIARIES

Agreement with taxing authorities in distributing the assets of an estate or trust to surviving spouse, authorized—
SB 179, page 131

Property in kind, powers and duties with respect to distribution of—
SB 564, pages 1077, 1344

FIES, DOCTOR MILTON

Expressing appreciation to—
HJR 124, pages 1123, 1241

FIFTEENTH JUDICIAL CIRCUIT

Solicitors, deputy circuit, appointment and compensation—
SB 242, pages 221, 671, 1474, 1874, 1896, 2133

FINANCE DEPARTMENT, STATE

Alabama civil war centennial commission, director of finance authorized to transfer title to certain property to—
HB 1196, pages 1742, 1805
SB 374, pages 476, 918, 1643, 1967, 2091, 2134

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Budget officer, compensation—
HB 836, pages 768, 919, 1749, 1783, 1806, 1820, 2108, 2130

Director, assistant, compensation—
HB 836, pages 768, 919, 1749, 1783, 1806, 1820, 2108, 2130

State insurance fund, director authorized to purchase reinsurance and collect agents' commissions thereon—
SB 491, pages 838, 1692

Timber, minerals, and other natural resources on state-owned lands, regulating sale of—
SB 84, page 25

FINANCIAL INSTITUTIONS

See: BANKS AND BANKING; CORPORATIONS—

FINE AND FORFEITURE FUND

Choctaw County, abolished—
HB 1104, pages 1298, 1505, 1620, 1791

FINES AND FORFEITURES

Counties 51,000 to 55,000 population, payment and retirement of certain claims against fine and forfeiture fund—
SB 291, pages 302, 533, 595, 1658, 1700, 1831, 1895, 2133

Geneva County, distribution of proceeds of—
HB 1044, pages 1177, 1359, 1588, 1595, 1786
SB 500, pages 895, 966, 1050, 1367, 1430, 1680

FIRE ANTS

Appropriation, control of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

FIRE COLLEGE, STATE

Advisory committee, appointment and terms of members—
HB 970, pages 1152, 1342, 1782, 1883

FIRE INSURANCE COMPANIES

Rates, regulating alteration of—
SB 200, page 160

FIREARMS

Congress memorialized to limit legislation on—
HJR 118, pages 1120, 1240

Counties 150,000 to 400,000 population, fee for issuance of pistol permit—
HB 941, pages 931, 1036, 1412, 1577

Shooting or throwing missiles into dwelling house and other buildings, penalty for—
HB 293, page 793

FIREMEN

Cities 29,000 population or more, working hours of—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

Cities 300,000 population or more, authority to make arrests—
HB 1181, pages 1441, 1500, 1629, 1889

Cities 300,000 population or more, defining injuries incurred in the line of duty—
HB 1182, pages 1441, 1501, 1630, 1889

Cities 300,000 population or more, training of firemen in disarming or neutralizing explosives—
HB 1180, pages 1441, 1500, 1629, 1889

Jefferson County, city of Birmingham, benefits payable under pension and relief fund—
HB 554, pages 503, 695, 734, 943

Mobile, city of, investment of policemen and firemen's pension and relief fund, investment of—
HB 564, pages 778, 1035, 1410, 1550

FIREMEN (Continued)

State fire college advisory committee, appointment and term of members—

HB 970, pages 1152, 1342, 1782, 1883

FIRST WHITE HOUSE OF THE CONFEDERACY

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

FISHING

See also: CONSERVATION; CONSERVATION, STATE DEPARTMENT OF; GAME AND FISH; SEAFOODS—

Chambers County, disposition of proceeds of fishing licenses—

HB 424, pages 326, 535, 599, 624

Cherokee County, limitation on fishing gear used by commercial fishermen—

HB 350, pages 515, 825, 1014, 1208, 1824, 1964

Commercial fishing gear, penalty for illegal use of—

HB 753, page 1748

Coosa County, regulated—

HB 469, pages 523, 699, 984, 1200, 1541, 1649

Counties 10,000 to 10,900 population, regulated—

HB 750, pages 1438, 1507, 1854, 1958

Counties 14,300 to 14,800 population, regulated—

HB 1101, pages 1296, 1507, 1624, 1792

Counties 18,000 to 19,400 population, regulated—

SB 428, pages 620, 693, 730

Counties 55,000 to 60,000 population, regulated—

HB 606, pages 508, 675, 727, 942

Counties 65,000 to 95,000 population, regulated—

HB 177, pages 138, 692, 728, 938

Counties 96,000 to 106,000 population, prohibiting taxing of certain costs for violation of game and fish laws—

HB 260, pages 173, 240, 291, 458

Counties 96,000 to 106,000 population, regulated—

HB 759, pages 763, 822, 1003, 1208

SB 276, pages 261, 322, 593, 746, 807, 828

Electrical shocking devices, seizure and confiscation of property used in taking or killing fish with—

SB 42, page 16

Fayette County, regulated—

HB 437, pages 336, 535, 609, 944

Game and fish fund, establishment of, CA—

HB 299, pages 1150, 1345

SB 37, page 16

Landowners duty toward persons on their premises for purpose of—

HB 22, pages 357, 677, 1517, 1649

Marion County, regulated—

HB 297, pages 179, 1558, 1687, 1882

FISHING (Continued)

Marshall county, regulated—

SB 605, pages 1453, 1552, 1683, 1967, 2092, 2134

Non-resident fishing licenses, fee for issuance of—

HB 61, pages 578, 1039

Off-shore seismic and geophysical crews, providing fund for management and supervision of—

SB 214, pages 164, 1038

Winston County, regulated—

HB 960, pages 1106, 1356, 1585

Wire baskets, privilege license tax for use of—

SB 82, pages 25, 1039

FLORENCE, CITY OF

Boundaries altered—

HB 870, pages 757, 819, 997, 1199

SB 425, page 590

Firemen, working hours of—

HB 722, pages 1737, 1803

SB 260, pages 250, 1031

FLORENCE STATE COLLEGE

Operating statement and consolidated fund balance sheet, annual, filing of—

HB 634, page 1747

Speakers at, regulating visitation of—

HB 973, pages 1081, 1264, 1362

SB 431, page 620

SB 443, page 622

FLORICULTURISTS

Qualifications, annual permit, and penalty for performing services without permit—

SB 430, page 620

FLOWERS

Seed dealers, license fees payable by—

SB 79, pages 24, 243

FOLSOM, LINDA

Commended on being selected "Miss Alabama"

HJR 143, pages 1544, 1650

SJR 57, page 1482

FOOD AND DRUGS

Alabama food processing and marketing commission, creation of—

HB 583, page 1189

SB 250, page 225

Alabama milk control board, appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Amphetamines, penalty for violation of laws regulating sale or possession of—

HB 294, page 1557

FOOD AND DRUGS (Continued)

- Barbiturates, penalty for violation of laws relating to—
HB 289, page 793
- Honeybees, control and prevention of diseases of—
HB 653, pages 795, 974, 1808, 1958
- Lysergic acid diethylamide, psilocybin, or psycotomimetics, control of—
HB 1081, page 1557
- Pecans, regulating sale of—
HB 417, pages 1670, 1693, 2099, 2130
SB 88, pages 26, 242
- Pesticide residues, establishment of laboratory for making analysis of agricultural products for—
HB 1006, pages 1741, 1798
SB 433, page 620

FOOD AND FOOD PRODUCTS

- Farmers' markets, establishment of—
HB 597, pages 1312, 1463
SB 99, pages 27, 675, 1476, 1877, 1926, 2133

FORESTS

- Board of registration for foresters, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Fires when emergency drought condition exists, penalty for starting—
SB 77, pages 24, 40, 254
- Forest trees, suppression of infestation and disease in—
SB 85, pages 25, 901
- Penalty for throwing lighted material on forest lands—
SB 87, pages 25, 40, 256, 1518
- Severance tax, collection and distribution of proceeds of—
SE 69, page 23
- Timber lands, levying ad valorem tax on—
HB 974, pages 1442, 1465
- Timber lands, levying ad valorem tax on, CA—
HB 975, pages 1442, 1465

FORT MORGAN

- Committee created to study feasibility of bridge connecting with Dauphin Island—
HJR 122, pages 1676, 1806, 1964, 2111, 2124

FORT MORGAN HISTORICAL COMMISSION

- Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
SB 446, page 622
- Chandler, Hatchett, retirement of—
SB 536, pages 960, 1196
- Employees of, authorizing living quarters and sale of certain printed material by—
SB 542, pages 960, 1196

FORT PAYNE, CITY OF

Appropriation, construction of high school—
SB 129, pages 61, 1030

Appropriation, construction of public library—
SB 130, page 61

FOURTEENTH JUDICIAL CIRCUIT

Judges, expense allowance—
SB 277, pages 262, 676, 728, 1658, 1701, 1830, 1895, 2133

Solicitor, expense allowance for—
SB 278, pages 262, 676, 728, 1658, 1701, 1832, 1895, 2133

FOURTH JUDICIAL CIRCUIT

Solicitor, clerical assistance—
HB 473, pages 1157, 1356, 1587, 1651, 1793

Solicitor, expense allowance—
HB 474, pages 1157, 1356, 1586, 1651, 1794
HB 719, pages 553, 701, 744, 818

FRANCHISE TAX

Foreign corporations, levy of—
HB 1107, pages 1226, 1351, 2086, 2114

FRANKLIN COUNTY

Bear Creek development authority, incorporation of—
HB 449, pages 491, 886, 1689, 1730, 1879

Bear Creek development authority, incorporation of, CA—
HB 450, pages 493, 887, 1691, 1891

Cigars, tax levied on—
HB 1172, pages 1535, 1699, 1861, 1960

Inferior court created in lieu of county court—
HB 923, pages 873, 966, 1583, 1651, 1794, 2006, 2102

Junior college and trade school scholarship program for residents of,
establishment of—
HB 378, pages 191, 239, 287, 459

Russellville, city of, boundaries altered—
HB 760, pages 647, 719, 995, 1199
HB 812, pages 770, 969, 1060, 1210
HB 924, pages 880, 967, 1052, 1211
HB 925, pages 878, 967, 1053, 1211
HB 1120, pages 1271, 1508, 1626, 1823, 1892
HB 1274, pages 1721, 1801, 1943, 1976

Sheriff, authorizing additional deputy—
HB 441, pages 337, 718, 993, 1200
HB 478, page 386

Thirty-fourth judicial circuit, created—
HB 266, pages 196, 670, 1470, 1576

Vina, town of, boundaries altered—
HB 926, pages 879, 967, 1584, 1785

FRATERNAL ORGANIZATIONS

Homes operated by, licensing of—
HB 702, pages 633, 1032, 2091
SB 285, page 263

FRAUD

Fraudulently obtaining money or goods on credit, penalty for—
SB 35, pages 15, 366, 1483, 1875, 1896, 2132

Funds credited to depositor's account through error, penalty for
withdrawal of—
SB 36, pages 15, 533, 1483, 1877, 1926, 2133

FULTONDALE, CITY OF

Boundaries, alteration of—
HB 485, pages 411, 538, 1582, 1785

FUTURE HOMEMAKERS OF AMERICA

Commended—
HJR 162, pages 1828, 1965

FYFFE, TOWN OF

Appropriation, construction of auditorium in—
SB 130, page 61

GADSDEN, CITY OF

Boundaries altered—
HB 756, pages 786, 822, 1005, 1200
SB 575, pages 1142, 1355, 1570, 1821, 1838, 1915

Firemen, working hours of—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

Mayor and commissioners, compensation—
HB 76, pages 143, 971, 1839, 1876, 1956

GAINESWOOD

Appropriation, for purchase and operation as historical site—
SB 224, pages 209, 885

GAME AND FISH

See also: CONSERVATION; CONSERVATION, STATE DEPART-
MENT OF; FISHING; HUNTING; SEAFOODS—

Chambers County, disposition of proceeds of fishing licenses—
HB 424, pages 326, 535, 599, 624

Cherokee County, licensing and regulation of private hunting
preserves—
HB 353, pages 187, 238, 291, 459

Cherokee County, limitations on fishing gear used by commercial
fishermen—
HB 350, pages 515, 825, 1014, 1208, 1824, 1964

Commercial fishing gear, penalty for illegal use of—
HB 753, page 1748

Coosa County, fishing regulated—
HB 469, pages 523, 699, 984, 1200, 1541, 1649

GAME AND FISH (Continued)

- Counties 10,000 to 10,900 population, fishing regulated—
HB 750, pages 1438, 1507, 1854, 1958
- Counties 14,300 to 14,800 population, fishing regulated—
HB 1101, pages 1296, 1507, 1624, 1792
- Counties 18,000 to 19,000 population, fishing regulated—
SB 456, pages 690, 718, 992
- Counties 18,000 to 19,400 population, fishing regulated—
SB 428, pages 620, 693, 730
- Counties 22,350 to 24,500 population, regulating hunting of deer—
HB 873, pages 758, 819, 996, 1199
- Counties 31,000 to 32,000 population, authorizing nighttime hunting
of raccoons—
HB 921, pages 856, 966, 1051, 1213
- Counties 32,500 to 35,000 population, regulating hunting of deer—
HB 809, pages 769, 972, 1069, 1585, 1785
- Counties 48,100 to 49,700 population, regulating hunting of deer—
HB 801, pages 790, 972, 1069, 1584, 1785
- Counties 55,000 to 60,000 population, fishing regulated—
HB 606, pages 508, 675, 727, 942
- Counties 65,000 to 95,000 population, fishing regulated—
HB 177, pages 138, 692, 728, 938
- Counties 96,000 to 106,000 population, fishing regulated—
HB 759, pages 763, 822, 1003, 1208
SB 276, pages 261, 322, 593, 746, 807, 828
- Counties 96,000 to 106,000 population, prohibiting taxing of certain
costs for violation of game and fish laws—
HB 260, pages 173, 240, 291, 458
- Counties 300,000 to 500,000 population, regulating hunting of deer—
HB 1234, pages 1531, 1696, 1851, 1962
- Deer and turkeys, regulating hunting of—
HB 32, pages 1232, 1355
SB 86, page 25
- Deer and wild turkeys on wildlife management areas, special license
for hunting—
HB 693, pages 1150, 1347
- Deer, illegal nighttime hunting of, seizure and confiscation of prop-
erty used in—
SB 42, page 16
- Electrical shocking devices, seizure and confiscation of property used
in taking or killing fish with—
SB 42, page 16
- Escambia County, licensing and regulation of private hunting pre-
serves—
HB 477, pages 392, 536, 602, 625
- Fayette County, fishing regulated—
HB 437, pages 336, 535, 609, 944

GAME AND FISH (Continued)

Fish and wildlife, protection of, as related to use of pesticide residues—

HB 1006, pages 1741, 1798

SB 433, page 620

Game and fish fund, establishment of, CA—

HB 299, page 1150, 1345

SB 37, page 16

Hunting, fishing, or recreation, landowners duty toward persons on their premises for purpose of—

HB 22, pages 357, 677, 1517, 1649

SB 34, pages 15, 231, 1518

Hunting license, exempting residents over sixty-five from requirements for—

SB 437, pages 621, 888, 1018, 1736, 1758, 1916

Hunting license for residents over sixty-five, special, provided for—

HB 692, pages 1150, 1347

Hunting license, non-resident trip, fee for issuance of—

HB 659, pages 1446, 1464

Hunting license, non-resident, types of, and charges for—

HB 330, pages 768, 1132, 1758, 1882, 1994, 2114

Marion County, fishing regulated—

HB 297, pages 179, 1558, 1687, 1882

Marshall County, fishing regulated—

SB 605, pages 1453, 1552, 1683, 1967, 2092, 2134

Non-resident fishing licenses, fee for issuance of—

HB 61, pages 578, 1039

Off-shore seismic and geophysical crews, providing fund for management and supervision of—

SB 214, pages 164, 1038

Wild game birds and animals, closing of baited areas—

HB 23, page 767

SB 21, pages 10, 1038

Winston County, fishing regulated—

HB 960, pages 1106, 1356, 1585

Wire baskets, privilege license tax for use of—

SB 82, pages 25, 1039

GAME AND FISH FUND

Establishment of, CA—

HB 299, pages 1150, 1345

SB 37, page 16

GARBAGE

Escambia County, regulating placing, leaving, or dumping of garbage or debris along public roads—

HB 990, pages 1094, 1192, 1634, 1883

Penalty for dumping on lands of another—

HB 939, pages 1380, 1805

GARDEN CITY, TOWN OF

Boundaries altered—

HB 752, pages 645, 701, 744, 818

SB 356, pages 433, 534, 597, 746, 807, 828

GARNISHMENT

Alimony or child support exemption of wages on writ of—

SB 411, page 572

GAS SYSTEMS

Counties 42,000 to 46,000 population, compensation of members of board of directors of municipal gas district—

SB 338, pages 355, 534, 596, 746, 807, 828

Gas districts, issuance of refunding bonds by—

HB 125, pages 1669, 1693, 1814, 1956

Gas utility companies, prohibited from charging fees for connecting or disconnecting certain equipment—

SB 32, page 14

GASOLINE

Unloading of, hours for—

HB 222, pages 1377, 1464, 1813, 1957

GASOLINE TAX

Motor carriers, collection and distribution of proceeds of tax on fuel used by—

HB 326, pages 1446, 1559, 2085, 2113

SB 380, page 478

Proceeds of, distribution of—

HB 451, pages 800, 886, 1071, 1208

THE GENERAL STRINGER HIGH SCHOOL

Designation of—

HJR 61, pages 364, 461

GENEVA COUNTY

Board of education, adoption of textbooks—

SB 439, pages 621, 698, 983, 1312, 1368, 1451, 1473, 1675, 1702, 1915

Board of registrars, compensation of members—

HB 927, pages 927, 971, 1064, 1205

Court of county commissioners, expense allowance for members of—

HB 1247, pages 1653, 1696, 1850, 1963

SB 590, pages 1250, 1505, 1621, 1821, 1838, 1916

Economic Opportunity Act of 1964, participation in—

HB 1263, pages 1657, 1696, 1849, 1964

SB 599, pages 1263, 1505, 1618, 1821, 1838, 1916

Fines and forfeitures, distribution of proceeds of—

HB 1044, pages 1177, 1359, 1588, 1595, 1786

SB 500, pages 895, 966, 1050, 1367, 1430, 1680

Industrial development agent, employment of—

HB 1043, pages 1176, 1359, 1595, 1786

SB 499, pages 894, 966, 1049, 1367, 1430, 1680

GENEVA COUNTY (Continued)

Industrial development of municipalities within, CA—
SB 202, pages 162, 235, 274, 550, 569, 617

Inferior court, jurisdiction of—
HB 442, pages 360, 1035, 1393, 1477, 1481, 1639, 1650
SB 182, pages 132, 234, 463, 1394

Justices of the peace and notaries public ex officio justices of the
peace, jurisdiction of—
HB 1045, pages 1178, 1356, 1588, 1786
SB 501, pages 896, 966, 1682

Legislative delegation, expense allowance for members of—
HB 588, pages 1149, 1349

Slocomb, town of, boundaries altered—
SB 375, pages 476, 698, 983, 1311, 1368, 1451

Slocomb, town of, collection of sales and use taxes levied by—
SB 201, pages 160, 235, 274

Solicitor, circuit, expense allowance for—
HB 1173, pages 1381, 1699, 1858, 1960
SB 560, page 1027

GEOLOGIST, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Compensation—
HB 127, pages 1438, 1560

GEORGE C. WALLACE HIGHWAY

Designation of—
SJR 59, page 1561

GERALDINE, TOWN OF

Boundaries altered—
SB 401, pages 484, 825, 1016, 1366, 1429, 1679

Branch bank, authorized—
SB 400, pages 483, 826, 1016

GLEN ALLEN, TOWN OF

Boundaries altered—
HB 1278, pages 1723, 1804, 1945, 1977

GLENCOE, TOWN OF

Boundaries altered—
HB 262, pages 173, 240, 291, 458
SB 574, pages 1140, 1356, 1570, 1821, 1837, 1915
SB 575, pages 1142, 1355, 1570, 1821, 1838, 1915

GOING OUT OF BUSINESS SALES

Licensing and regulation of—
SB 487, pages 838, 920

GORGAS MEMORIAL BOARD

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

GOSHEN, TOWN OF

“The General Stringer High School,” designation of—

HJR 61, pages 364, 461

GOVERNOR

Appropriation, construction and supplies for mansion at Gulf Shores—

SB 478, pages 833, 1031

Appropriation, operation of office of—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Commission on intergovernmental cooperation, creation of—

HB 892, pages 1444, 1560, 2091, 2097, 2130

SB 554, pages 1024, 1349

Committee on employment of the handicapped, creation of—

HB 201, pages 578, 672, 900, 1196

SB 113, page 40

Departmental emergency fund, appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Eligibility to run for senate of United States, CA—

SB 23, page 10

Emergency, contingency, and mansion funds, appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Interstate compact on juveniles, adoption of—

SB 107, pages 34, 55, 349, 1863, 1896, 2133

Junior colleges, naming administration buildings in honor of—

HJR 174, pages 2004, 2097, 2129

Messages to Legislature, pages 83, 2119, 1214, 1264

Notified that legislature is in session—

HJR 2, page 4

Person, money, or property under control or in official custody of, penalty for using for private purposes—

SB 342, pages 355, 1353

Proclamations of, appropriation for expenses of—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Succession to office, CA—

SB 101, page 27

Television time or facilities, prohibiting use of public funds for payment of—

SB 345, pages 356

Vacancies in elective office, confirmation by senate of appointment to fill—

SB 341, pages 355, 1353

GOVERNOR'S APPOINTMENTS

Alabama Education Television Commission, Member of—
pages 213, 1933

Alabama Institute for Deaf and Blind, Board of Trustees—
pages 1471, 1580

Alabama State Hospital, Board of Trustees—
page 1127

Board of Corrections, Members of—
pages 1214, 1580

Partlow State School and Hospital, Board of Managers—
page 2124

Pensions and Security, Members of State Board—
pages 212, 1472, 1579

Personnel Board, Honorable James A. Simpson as member of—
page 63

State Banking Board, Members of—
pages 214, 1582

State Board of Education, Members of—
pages 212, 1473, 1579, 1930

State Board of Pardons and Paroles, Members of—
page 692

State Dept. of Industrial Relations, Board of Appeals—
page 211

Tuscaloosa County Civil Service Board, Members of—
pages 1581, 2122

University of South Alabama, Board of Trustees—
pages 2089, 2123

GOWAN, DOCTOR A. M.

Mourning death of—
HJR 141, pages 1540, 1650

GRAHAM, DOCTOR BILLY

Expressing appreciation to—
HJR 69, pages 437, 489

Invited to address legislature—
SJR 17, page 201

GRAND JURY

Defendant indicted by, and pleading guilty, dispensing with jury
verdict and fixing of punishment of—
HB 374, page 1156
SB 170, page 82

GRAND LARCENY

Penalty for—
SB 153, page 78

GREENE COUNTY

Board of education, compensation of members—
SB 249, pages 224, 251, 350

Board of education, insuring of school buildings—
SB 468, pages 813, 965, 1047

Circuit clerk, sheriff, tax assessor, tax collector, and register, compensation and clerical assistance, CA—
HB 268, page 178

Deer, regulating hunting of—
HB 995, pages 1097, 1191, 1585

Election officials, compensation—
SB 248, pages 223, 251, 349, 550, 570, 617, 1215, 1320, 1369, 1451

Register, circuit clerk, sheriff, tax assessor, and tax collector, compensation and clerical assistance CA—
HB 268, page 178

Sheriff, compensation and clerical assistance—
HB 763, page 650

Tax assessor, tax collector, circuit clerk, and register, compensation and clerical assistance—
HB 762, page 649
SB 329, pages 315, 534, 596, 1367, 1430, 1680

Teacher tenure, abolished—
HB 761, page 648

Voting machines, providing for use of—
SB 247, pages 222, 251, 375

GRIMLEY, K. W.

Commended—
SJR 20, page 215

GUIN, TOWN OF

Boundaries altered—
HB 121, pages 107, 267, 445, 486, 489

GULF STATE PARK

Motel and water system therefor, repairing and furnishing of—
HB 848, pages 1445, 1559, 2091
SB 410, pages 572, 1030

GULF STATES PAPER CORPORATION

Recognizing contributions made by—
SJR 18, pages 202, 1579, 1648, 1680

GUNTERSVILLE BOAT RACES

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

GUNTERSVILLE, CITY OF

Planning commission, jurisdiction of—
SB 458, pages 690, 718, 992, 1312, 1369, 1451

GWIN HIGH SCHOOL

Designation of—
HJR 94, pages 680, 938

HALE COUNTY

Board of education, insuring of school buildings—
SB 467, pages 812, 965, 1046, 1833, 1865, 2133

Board of revenue, election of members by district—
HB 764, pages 789, 969, 1067, 1204

Board of revenue, payment of expense allowance for members of—
HB 1208, pages 1380, 1509, 1628, 1890
SB 571, pages 1080, 1193, 1424

Excise taxes, repeal of—
HB 1946, pages 1179, 1360, 1597, 1786

HALEYVILLE, CITY OF

Boundaries altered—
HB 238, pages 148, 237, 284, 458

HALL OF FAME BOARD

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

HANCEVILLE, TOWN OF

Boundaries altered—
HB 806, pages 769, 969, 1394
SB 399, pages 481, 698, 740, 1155, 1218, 1450

HANDICAPPED PERSONS

Committee on employment of the handicapped, creation of—
HB 201, pages 578, 672, 900, 1196
SB 113, page 40

State service, preference for employment in—
HB 846, pages 1153, 1352
SB 422, pages 586, 920

HARBORS

See: DOCKS AND HARBORS; DOCKS DEPARTMENT, STATE;
WATERWAYS; SEAPORTS—

HARPER, WILL M.

Mourning death of—
HJR 92, pages 667, 938
SJR 38, pages 608, 1118, 1133, 1243

HARRISON, DOCTOR TINSLEY R.

Commended—
SJR 49, pages 980, 1120, 1133, 1243

Regretting illness of—
HJR 194, pages 2106, 2132

HARTSELLE, TOWN OF

Boundaries altered—
SB 521, pages 949, 1037, 1413, 2123, 2135

HARWELL, FRANK

City board of education of Talladega requested to name auditorium after—

SJR 12, pages 71, 138, 159, 425

HASKINS & SELLS

Jefferson County authorized to make payment to—

HB 484, pages 410, 538, 603, 625

HEALING ARTS, STATE BOARD OF

Examination of applicants, reciprocal agreements for—

HB 701, pages 1746, 1798

Exemptions from licensing by—

SB 64, pages 21, 200, 245, 1872, 1927, 2133

Fees payable by applicants for examination of, amount of—

HB 393, pages 1109, 1346, 2083, 2113

HEALTH

See: HOSPITALS; PUBLIC HEALTH—

HEALTH DEPARTMENT, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Mental health, creating single state agency to coordinate activities related to—

HB 699, pages 1269, 1557, 1897, 1914, 1935, 1953, 1969, 2115, 2130

SB 352, pages 430, 901

Water authorities, power to approve source of water furnished by—

SB 118, page 50

HEALTH INSURANCE

State employees' insurance board, creation of—

SB 128, pages 61, 265, 1735, 1966, 2091, 2134

HEARN, MRS. ONEIDA WELLS

Mourning death of—

SJR 70, pages 1932, 1978, 2095, 2134

HELENA, TOWN OF

Boundaries altered—

HB 788, pages 846, 969, 1058, 1210

HENRY COUNTY

Courthouse and jail, issuance of bonds for construction of, CA—

HB 889, pages 765, 970, 1063, 1205

Mineral resources survey of, appropriation for—

SB 204, page 162

HENRY, ELMER

Marshall County, relief of—

SB 378, pages 477, 718, 992, 1311, 1368, 1451

HERBICIDES

Sales and use taxes, exemption from—

HB 2, pages 358, 669, 1221, 1266, 1367

SB 89, page 26

Seed dealers, license fees payable—

SB 79, pages 24, 243

HIGHWAY DEPARTMENT, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Cherokee County, regulating construction of roads and bridges—

HB 1033, page 1164

Colbert County, construction, repair, and maintenance of roads and bridges—

SB 593, pages 1253, 1509, 1574, 1821, 1838, 1916

Convicts, regulating working of—

HB 916, pages 1229, 1351, 1807, 1959

SB 454, pages 689, 884

Director, appointment of—

SB 339, pages 355, 1352

Director, compensation—

HB 123, page 663

SB 44, pages 17, 40, 253, 745, 807, 828

Director, tenure of—

SB 173, page 82

Engineers, county, participation in employees' retirement system—

SB 317, pages 311, 366, 902, 1863, 1897, 2133

Engineers, county, state participation in salary of—

SB 316, pages 311, 366, 902, 1863, 1896, 2133

"George C. Wallace Highway," designation of—

SJR 59, page 1561

Purchasing, regulated—

HB 379, pages 794, 1031, 1781, 1882

SB 91, pages 26, 885

Vehicles, oversized, issuance of permits for movement of—

HB 896, pages 1151, 1552

SB 115, page 45

SB 438, pages 621, 1194

Winston County, construction, repair, and maintenance of roads and bridges—

HB 194, pages 120, 972, 1069, 1681

HIGHWAY PATROL

Appropriation, state department of public safety—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

HIGHWAYS

See also: BRIDGES; HIGHWAY DEPARTMENT, STATE; ROADS AND BRIDGES—

HIGHWAYS (Continued)

- Bonds for highways to be constructed jointly with federal government, issuance of—
HB 452, pages 683, 885, 934, 1069, 1136, 1202
- Colbert County, construction, repair, and maintenance of—
SB 593, pages 1253, 1509, 1574, 1821, 1838, 1916
- Convicts, regulating working of—
HB 916, pages 1229, 1351, 1807, 1959
- Engineers, county, state participation in salary of—
HB 316, pages 580, 888
- “George C. Wallace Highway,” designation of—
SJR 59, page 1561
- Highway department, state, appointment of director of—
SB 339, pages 355, 1352
- Motor vehicles, prescribing exemptions from size and weight limits—
SB 379, page 478
- Motorcycles and motorbikes, operators and riders required to wear protective helmets—
HB 601, page 1377
- Person rendering care at scene of accident, exemption from civil liability—
HB 16, page 1146
- Right-of-way, penalty for throwing lighted material on—
SB 87, pages 25, 40, 256, 1518
- Vehicles, oversized, issuance of permits for movement of—
HB 896, pages 1151, 1552
SB 115, page 45
SB 438, pages 621, 1194
- Winston County, construction, repair, and maintenance of—
HB 194, pages 120, 972, 1069, 1681

HISTORICAL SITES

- Alabama civil war centennial commission, transfer of title to certain property to—
SB 374, pages 476, 918, 1643, 1967, 2091, 2134
- Cahaba historical commission, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Committee to investigate and study, creation of—
HJR 5, page 35
- Death benefit claims accruing against division of state parks, monuments, and historical sites, appropriation for payment of—
HB 1255, pages 1739, 1802
SB 586, page 1249
- First white house of the confederacy, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Fort Morgan historical commission, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
SB 446, page 622

HISTORICAL SITES (Continued)

Fort Morgan historical commission, authorizing living quarters and sale of certain printed material by employees of—
SB 542, pages 963, 1196

Gaineswood, appropriation for purchase and operation as historical shrine—
SB 224, pages 209, 885

Gorgas memorial board, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Hall of fame board, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

LaGrange historical commission, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Richmond Pearson Hobson memorial board, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Southern university, establishment of museum at site of—
SB 252, page 226

HOGS

Abusive treatment of, prohibited—
SB 426, page 619

Appropriation, swine disease control—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

HOKES BLUFF, TOWN OF

Boundaries altered—
HB 263, pages 176, 240, 290, 458

HOLIDAY INN, EAST

Commended for developing the "Tourist Cotton Patch"
HJR 172, pages 1930, 2099

HONEYBEES

Diseases of, control and prevention of—
HB 653, pages 795, 974, 1808, 1958
SB 194, pages 136, 243

HONEYCUTT, JOHNNIE GAIL AND JOHN HENRY

Urging day of prayer for—
SJR 36, pages 544, 665, 703, 716

HORTICULTURISTS

Qualifications, annual permit, and penalty for performing services without permit—
SB 430, page 620

HOSPITAL BOARD, MUNICIPAL

Self-perpetuating board of directors, authorized—
SB 174, pages 82, 366, 593, 1968, 2091, 2134

HOSPITALS

Advisory council to the state board of health, qualifications of members of—

SB 507, pages 915, 974, 1074, 1877, 1927, 2133

Counties 60,500 to 65,000 population, meetings of medical staff deemed privileged communications—

HB 1249, pages 1655, 1697, 1854, 1963

Counties 76,000 to 116,000 population, introduction of certified copies of hospital records as evidence—

HB 1267, pages 1719, 1800, 1941, 1976

Counties 96,000 to 109,000 population, introduction of certified copies of hospital records as evidence—

SB 609, pages 1458, 1552

Evidence, regulating use of records as—

HB 275, pages 210, 668

Fraternal organizations and hospitals that accept only indigent patients, licensing of—

HB 702, pages 633, 1032, 2091

SB 285, page 263

Profit and non-profit, exemption from sales tax—

SB 126, pages 61, 1349

Profit or non-profit, exemption from use tax—

SB 125, page 60

Walker County, introduction of certified copies of hospital records as evidence—

HB 742, pages 559, 701, 1041, 1212

SB 595, pages 1256, 1507, 1573, 1967, 2092

HOSPITALS, MUNICIPAL

Counties 76,000 to 96,000 population, exempting schools of nursing from civil service system—

HB 804, pages 792, 822, 1007, 1207

Self-perpetuating board of directors, providing for—

SB 174, pages 82, 366, 593, 1968, 2091, 2134

HOTELS

Counties 500,000 population or more, lodging tax levied—

HB 1177, pages 1439, 1503, 1614, 1790

HOUSE OF REPRESENTATIVES

See also: LEGISLATURE; RESOLUTIONS—

Adjournment—

HJR 3, page 30

HJR 99, page 684

HJR 152, page 1728

SJR 21, page 215

SJR 25, page 254

SJR 42, page 683

Adjournment sine die—

SJR 75, pages 2090, 2115, 2123, 2135

Appropriation—

SB 185, pages 135, 233, 322, 463, 465, 566, 617

HOUSE OF REPRESENTATIVES (Continued)

Brewer, speaker Albert, requested to explain his position on the "Liberty Amendment" and the recently published "Manion Forum"—

SR 7, page 55

Budget document, extending time for filing—

SR 5, page 51

Clerical assistance for checking journals, provided for—

HJR 173, pages 1978, 2101

Clerk relieved of responsibility for codes, acts, journals, and other books furnished members—

SJR 66, pages 1931, 1978, 2094, 2134

Commission on intergovernmental cooperation, creation of—

HB 892, pages 1444, 1560, 2091, 2097, 2130

SB 554, pages 1024, 1349

Committee created to study distribution of textbooks—

HJR 104, page 804

Committee created to study problems of production and processing of cotton, continuation of—

HJR 4, pages 29, 63, 153

Committee on educational institutions, creation of—

SJR 65, pages 1865, 1933, 2111, 2123, 2135

Committee to investigate and study historical sites, creation of—

HJR 5, page 35

Committee to investigate feasibility of constructing building on the Jesse Earl Speight Mall, creation of—

HJR 144, pages 1545, 1650

Committee to study reapportionment, extending—

HJR 196, page 2118

Election of members, designation of places by number—

HB 489, pages 846, 974, 1426, 1576

Form disclosing connection with firms doing business with the state, execution of—

SB 398, pages 481, 888

Governor notified that legislature is in session—

HJR 2, page 4

Jefferson County members of, election of—

HB 775, pages 642, 696, 736, 940

SB 310, pages 307, 370, 976

SB 313, pages 308, 370, 976

Legislative interim committees, compensation and allowances of members and employees of—

HB 301, pages 1312, 1692

Message on organization of—

page 3

Reapportionment of—

HJR 148, pages 1675, 1881

Reapportionment of, CA—

SB 496, pages 894, 919, 2134

HOUSE OF REPRESENTATIVES (Continued)

Sessions and compensation and allowances of members—

HB 301, pages 1312, 1692

SB 109, pages 34, 231, 353, 375, 889, 891, 906

Sessions and compensation and allowances of members, CA—

HB 302, pages 1312, 1465

SB 110, pages 34, 231, 376, 890, 906

Speaker of, election of, CA—

HB 445, pages 1239, 1352

SB 343, page 355

HOUSING AUTHORITY, MUNICIPAL

Cities 125,000 to 200,000 population, powers of—

HB 731, page 1226

HOUSTON COUNTY

Circuit court, court costs in—

HB 1121, pages 1292, 1511, 1638, 1887

Dothan, city of, exemption of New Hope Industries from taxation—

HB 929, pages 1670, 1802, 2087, 2112, 2125, 2132

Dothan, city of, investment of funds of retirement system—

HB 928, pages 865, 970, 1063, 1205

HB 1122, pages 1270, 1505, 1620, 1791

Dothan, city of, regulating operation of civil service system—

SB 613, pages 1704, 1801

Dothan, city of, relief of Hugh D. Johnston—

HB 480, pages 398, 536, 602, 625

Dothan, city of, relief of W. Ben Word—

HB 481, pages 398, 537, 603, 625

Dothan, city of, working hours for firemen—

HB 722, pages 1737, 1803

SB 260, pages 250, 1031

Law and equity court abolished and re-established—

HB 479, pages 517, 700, 742, 981, 1020

Municipal elections, regulating conduct of—

HB 1265, pages 1657, 1699, 1857

SB 600, pages 1263, 1511, 1574, 1821, 1838, 1916

Sheriff, compensation of deputies—

HB 765, pages 651, 699, 742, 818

HOWARD COLLEGE

Appropriation, construction of chapel on campus of—

SB 151, page 77

HOWLE, WILLIAM H.

Mourning death of—

HJR 154, pages 1732, 1881

HUEYTOWN, CITY OF

Boundaries altered—

HB 547, pages 494, 694, 990, 1119, 1201

HB 548, pages 496, 694, 981, 1119, 1201

SB 334, pages 318, 372, 976

SB 355, pages 319, 372, 976

HUMANE OFFICER

Mobile County and city of Mobile appointment and compensation of assistant to—

HB 408, pages 417, 693, 979, 1198

HUNTING

See also: CONSERVATION; CONSERVATION, STATE DEPARTMENT OF; GAME AND FISH; name of specific animal—

Cherokee County, licensing and regulation of private hunting preserves—

HB 353, pages 187, 238, 291, 459

Clarke County, licensing and regulation of private hunting preserves

HB 467, pages 401, 536, 601, 625

Counties 18,000 to 19,400 population, regulating hunting of deer—

SB 429, pages 620, 694, 731, 1863, 1897, 2133

Counties 22,350 to 24,500 population, regulating hunting of deer—

HB 873, pages 758, 819, 996, 1199

Counties 31,000 to 32,000 population, authorizing nighttime hunting of raccoons—

HB 921, pages 856, 966, 1051, 1213

Counties 32,500 to 35,000 population, regulating hunting of deer—

HB 809, pages 769, 972, 1069, 1585, 1785

Counties 48,100 to 49,700 population, regulating hunting of deer—

HB 801, pages 790, 972, 1069, 1584, 1785

Counties 96,000 to 106,000 population, prohibiting taxing certain costs for violation of game and fish laws—

HB 260, pages 173, 240, 291, 458

Deer and turkeys, regulating hunting of—

HB 32, page 14

SB 86, page 25

Deer and wild turkeys on wildlife management areas, special license for hunting—

HB 693, pages 1150, 1347

Deer, illegal nighttime hunting of, seizure and confiscation of property used in—

SB 42, page 16

Escambia County, licensing and regulation of private hunting preserves—

HB 477, pages 392, 536, 602, 625

Game and fish fund, establishment of, CA—

HB 299, pages 1150, 1345

SB 37, page 16

Hunting licenses, exempting residents over sixty-five from requirement for—

SB 437, pages 621, 888, 1018, 1736, 1758, 1916

Landowners duty toward persons on their premises for purposes of—

HB 22, pages 357, 677, 1517, 1649

SB 34, pages 15, 231, 1518

Licenses, non-resident, types of, and charges for—

HB 330, pages 768, 1132, 1758, 1882, 1994, 2114

HUNTING (Continued)

Non-resident trip hunting license, fee for issuance of—
HB 659, pages 1446, 1464

Residents over sixty-five, special license for—
HB 692, pages 1150, 1347

Wild game birds and animals, closing of baited areas—
HB 23, page 767
SB 21, pages 10, 1038

HUNTINGDON COLLEGE

Appropriation, construction of chapel on campus of—
SB 151, page 77

HUNTSVILLE, CITY OF

Chamber of commerce, expressing appreciation to—
HJR 33, pages 277, 460

Economic development of, CA—
SJR 48, pages 974, 1034, 1400, 1733, 1757, 1915

Expressing appreciation for hospitality accorded members of legislature—
SJR 28, page 269

Firemen, working hours of—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

Historical sites, monuments, and architectural character, preservation of—
SB 549, pages 1023, 1130, 1432

Mayor and councilmen, election and terms of—
SB 239, pages 221, 251, 294, 550, 569, 617
SB 264, pages 260, 322, 448

Planning commission, membership of—
SB 559, pages 1027, 1131, 1416, 1728, 1757, 1915

Sales and use taxes, authorizing levy of—
HB 516, pages 379, 700, 986, 1121, 1201
SB 238, pages 220, 251, 293

HUSBAND AND WIFE

Assets in kind to surviving spouse, regulating distribution of—
SB 180, pages 131, 1348

Children, penalty for failure of father to comply with court order requiring support of—
SB 105, pages 33, 668

Divorce, residence requirements for—
HB 264, pages 1153, 1550
SB 22, pages 10, 199

Marriage license, eliminating requirement for permanent attachment of pre-nuptial certificate to—
HB 1075, pages 1739, 1798, 1952, 1977
SB 492, pages 838, 1342

HYDROELECTRIC POWER

Privilege license tax levied on manufacture and sale of, disposition of proceeds—
SB 451, page 689

IMPROVEMENT AUTHORITIES

Bear Creek development authority, incorporation of—
HB 449, pages 491, 886, 1689, 1730, 1879

Bear Creek development authority, incorporation of, CA—
HB 450, pages 493, 887, 1691, 1891

INCOME TAX

Decedent, payment of federal and state tax refunds due—
HB 680, pages 792, 1029
SB 295, pages 303, 671, 1450

Deduction allowed, and maximum limit for filing of short form—
HB 332, pages 1741, 1803, 2084, 2112
SB 388, pages 479, 918

Deduction, standard optional, and deduction of federal income taxes—
HB 323, pages 1741, 1803, 2084, 2113
SB 389, pages 480, 918

Deductions allowed in computing—
SB 387, pages 479, 918

Federal income tax, allowance as deduction in computing, CA—
SB 100, pages 27, 126, 248, 1150, 1219, 1451

Insurance companies authorized to carry electronic and mechanical data processing machines as admitted assets—
HB 110, pages 799, 902, 1782, 1882
SB 275, pages 261, 673

Retirement allowances, pensions, and annuities, exemption from—
HB 117, pages 1237, 1347, 1759, 1882

INDUSTRIAL DEVELOPMENT

Cities authorized to incorporate public corporations to promote and develop use of agricultural products—
HB 633, pages 635, 888, 1241, 1549

Cities, development and operation of recreational and pleasure resorts—
SB 139, pages 66, 241

Cities, enlargement, expansion, and re-location of projects—
SB 223, pages 208, 266, 891, 1737, 1758, 1916, 1950

Cities, issuance of bonds for, CA—
HB 1123, pages 1312, 1463, 1645, 1891
SB 519, pages 947, 1032

Conecuh County, city of Evergreen, authorized, CA—
HB 38, pages 138, 825, 1014, 1213

Counties, development and operation of recreational and pleasure resorts—
SB 140, pages 66, 241

INDUSTRIAL DEVELOPMENT (Continued)

- Counties 24,500 to 24,550 population, provided for—
HB 509, pages 390, 541, 610, 944
HB 511, page 390
- Geneva County, employment of industrial development agent—
HB 1043, pages 1176, 1359, 1595, 1786
SB 499, pages 894, 966, 1049, 1367, 1430, 1680
- Geneva County, municipalities within, CA—
SB 202, pages 162, 235, 274, 550, 569, 617
- Lester, town of, authorized, CA—
HB 1026, pages 1105, 1361, 1606, 1792
SB 490, pages 838, 971, 1064, 1366, 1430, 1680
- Livingston, town of, authorized, CA—
HB 1193, pages 1387, 1508, 1635, 1891
- Madison County and city of Huntsville, economic development of, CA—
SJR 48, pages 974, 1034, 1400, 1733, 1757, 1915
- Marion County, refunding of certain bonds issued by municipalities in, and used of proceeds of, CA—
HB 448, pages 338, 1558, 1688, 1890
- Municipal, definitions under laws regulating—
HB 931, pages 1153, 1344, 1817, 1876, 1959
SB 480, pages 833, 1029
- State planning and industrial development commission, created—
SB 206, page 162
- Sumter County, authorized, CA—
HB 1194, pages 1387, 1508, 1635, 1891

INDUSTRIAL DEVELOPMENT AUTHORITY, STATE

- Dissolution and re-creation of—
HB 935, pages 1108, 1194, 1911, 1987, 2100
SB 452, page 689
- Hydroelectric power, disposition of proceeds of tax levied on manufacture and sale of—
SB 451, page 689

INDUSTRIAL RELATIONS

- See also: INDUSTRIAL RELATIONS, STATE DEPARTMENT OF;
LABOR AND LABOR UNIONS; UNEMPLOYMENT COMPEN-
SATION; WORKMEN'S COMPENSATION—
- Appointment of member of Board of Appeals—
page 211
- Unemployment compensation, benefits after termination of military service—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366
- Unemployment compensation, disqualification for—
SB 148, pages 75, 242
- Unemployment compensation, election of employer to come under—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366

INDUSTRIAL RELATIONS (Continued)

Unemployment compensation, experience ratings, benefits, eligibility and disqualification for benefits, definition of wages, and court review of decisions under—
SB 289, page 303

Unemployment compensation, experience ratings, benefits, eligibility for benefits, and disqualification for benefits under—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366

Unemployment compensation, period and termination of employer's coverage under—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366

Unemployment compensation, refund of contributions paid in error—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366

Unemployment compensation, repealing provision for contributions by employees—
SB 289, page 302

Unemployment compensation trust fund, withdrawals from—
SB 227, pages 209, 366

Workmen's compensation law, medical, surgical, and hospital service under—
HB 97, pages 1524, 1693

Workmen's compensation law, pooling of liabilities by employers under—
HB 310, pages 210, 242, 1478, 1499, 1513, 1576
SB 135, page 65

INDUSTRIAL RELATIONS, STATE DEPARTMENT OF

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Appropriation, acquisition of land for parking of motor vehicles—
HB 674, pages 1110, 1347
SB 226, pages 209, 964

Division of employment security, appointment and compensation of chief of—
SB 228, pages 209, 366

Employers, pooling of liabilities of—
HB 310, pages 210, 242, 1478, 1499, 1513, 1576
SB 135, page 65

Unemployment compensation, benefits after termination of military service—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366

Unemployment compensation, disqualification for—
SB 148, pages 72, 242

Unemployment compensation, election of employer to come under—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366

INDUSTRIAL RELATIONS, STATE DEPARTMENT OF (Continued)

- Unemployment compensation, experience ratings, benefits, eligibility and disqualification for benefits, definition of wages, and court review of decisions under—
SB 289, page 302
- Unemployment compensation, experience ratings, benefits, eligibility for benefits, and disqualifications for benefits under—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366
- Unemployment compensation, period and termination of employer's coverage under—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366
- Unemployment compensation, refund of contributions paid in error—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366
- Unemployment compensation, repealing provision for contributions by employees—
SB 289, page 302
- Unemployment compensation trust fund, withdrawals from—
SB 227, pages 209, 366
- Workmen's compensation law, medical, surgical, and hospital service under—
HB 97, pages 1524, 1693
- Workmen's compensation law, pooling of liabilities by employers to become self-insurers under, provided for—
HB 310, pages 210, 242, 1478, 1499, 1513, 1576
SB 135, page 65

INFANTS

- Alcoholic beverages, penalty for minor to purchase, consume, or transport—
SB 494, pages 839, 932, 1485, 1998, 2094, 2134
- Appeals from decrees affecting custody of, time limitation for—
SB 104, pages 33, 200, 348, 1863, 1896, 2132
- Children under sixteen, penalty for assault and battery upon—
SB 325, page 314
- Court order requiring father to support child, penalty for failure to comply with—
HB 221, pages 1739, 1799
- Custody of, time limitation for appeals from decrees affecting—
HB 226, pages 210, 1029
- Delinquency of, penalty for contributing to—
SB 322, page 313
- Destruction of property, recovery of damages from parents of—
HB 377, pages 798, 1030, 2091
SB 203, pages 162, 532
- Enticing for immoral purposes, penalty for—
SB 323, page 314
HB 232, pages 1239, 1805

INFANTS (Continued)

- Garnishment for collection of child support, exemption of wages on writ of—
SB 411, page 572
- Indecent exposure in presence of, penalty for—
HB 234, pages 1738, 1805
SB 321, page 313
- Indecent molestation of, penalty for—
SB 235, pages 220, 266
- Interstate compact on juveniles, adoption of—
SB 107, pages 34, 55, 349, 1863, 1896, 2133
- Parents of, liability for damages caused by—
HB 377, pages 798, 1030, 2091
SB 203, pages 162, 532
- Penalty for failure of father to comply with court order requiring support of—
SB 105, pages 33, 668
- Phenylketonuria, testing and treatment of newborn infants for—
HB 10, pages 264, 677
SB 9, pages 7, 200, 351, 2001, 2093, 2134
- Removing child from the state to thwart court order relative to custody of, penalty for—
SB 181, page 132
- Reporting of injuries inflicted upon, and exemption from civil liability for making reports—
HB 114, pages 633, 1354
SB 8, pages 6, 230, 351, 464, 1736, 1758, 1915
SB 122, page 54

INFERIOR COURTS

- Contempt of, appeals from—
HB 834, pages 1148, 1344, 2116, 2131
- Counties 26,000 to 27,000 population, compensation of judge and solicitor of—
SB 512, pages 924, 972, 1395, 1659, 1702, 1829, 1893, 1915, 1928, 2134
- Counties 600,000 population or more, compensation of judges of courts having exclusive jurisdiction of juveniles—
HB 501, pages 419, 541, 607, 626
SB 305, pages 305, 369, 608
- Counties 600,000 population or more, providing for supernumerary inferior court judges—
HB 555, pages 503, 695, 734, 939
- Franklin County, created—
HB 922, pages 927, 1035, 1409, 1549
- Geneva County, jurisdiction of—
HB 442, pages 360, 1035, 1393, 1477, 1481, 1639, 1650
SB 182, pages 132, 234, 463, 1394
- Jefferson County, authorizing legislature to regulate jurisdiction of, CA—
HB 557, pages 505, 696, 735, 943
SB 314, pages 309, 371, 976

INFERIOR COURTS (Continued)

Jefferson County, establishment of—

HB 488, pages 414, 539, 604, 622
 HB 490, pages 415, 539, 604, 623
 SB 304, pages 304, 368, 608
 SB 306, pages 306, 369, 608

Jefferson County, precinct 33, establishment of—

HB 552, pages 501, 694, 733, 939

St. Clair County, appointment of clerical assistance for—

HB 969, pages 1714, 1801, 1943, 1975

Tuscaloosa County, abolished—

HB 741, pages 554, 718, 994, 1198

INQUISITIONS OF LUNACY

Walker County, trial of—

SB 597, pages 1260, 1507, 1573

INSTITUTIONS OF HIGHER LEARNING

See name of specific college or university—

INSURANCE

Insurance companies, foreign and domestic, regulating deposit of securities by—

HB 272, pages 1446, 1799
 SB 270, pages 261, 673

Insurance fund, state, amount of premiums charged by—

HB 679, page 1669

“Motor Vehicle Safety-Responsibility Act,” payments sufficient to satisfy requirements of—

HB 356, pages 1443, 1551, 1810, 1823, 1892

“Motor Vehicle Safety-Responsibility Act,” security required, suspension of licenses, and registration under—

HB 355, pages 1443, 1552, 1809, 1823, 1892

State board of education and other educational institutions, authorizing liability insurance for employees of—

HB 965, pages 1233, 1351

INSURANCE ADVISORY ORGANIZATIONS

Regulation of—

SB 427, pages 619, 1131

INSURANCE COMPANIES

Agriculture and industries, state department of, employees insured against certain hazards—

SB 177, pages 131, 242

Casualty and surety insurance companies, regulating alteration of rates—

SB 199, page 160

Companies upon which premium tax is imposed, exempting shareholders from taxation of shares of stock—

SB 274, pages 261, 673, 909, 920, 1231, 1245, 1451

INSURANCE COMPANIES (Continued)

Corporations, foreign, having a name similar to another corporation, licensing of—
HB 108, pages 799, 902, 1780, 1882

Deposit of securities by, regulating—
HB 272, pages 1446, 1799
SB 270, pages 260, 673

Domestic, regulating proxies, consents, and authorizations with respect to securities issued by—
SB 272, page 261

Domestic stock insurance company equity securities, insider trading of—
HB 112, pages 360, 674, 908, 1197
SB 269, pages 261, 673

Electronic and mechanical machines constituting data processing systems, authorized to carry as admitted assets—
HB 110, pages 799, 902, 1782, 1882
SB 275, pages 261, 673

Fire insurance companies, regulating alteration of rates—
SB 200, page 160

Life and accident and sickness insurance, regulating applications for policies of—
SB 268, pages 261, 673

Life insurance policies, assignment of—
HB 109, pages 799, 902, 2091
SB 271, pages 261, 673

Motor vehicle liability contracts, required to provide for loss caused by uninsured vehicle—
HB 795, page 1234
SB 10, pages 7, 672, 1516, 1877, 1926, 2133

Name similar to licensed company, granting of certificate of authority to—
SB 273, pages 261, 673

Proxies, consents, and authorizations in respect to securities issued by domestic stock companies, regulation of—
HB 231, pages 490, 674, 908, 1196

Rate making, regulating—
SB 427, pages 619, 1131

State employees' insurance board, creation of—
SB 128, pages 61, 265, 1735, 1966, 2091, 2134

Superintendent of insurance, fee for acceptance of service of legal process—
HB 230, pages 790, 902
SB 267, pages 260, 673

Uniform commercial code, adoption of—
SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, 1863, 1873, 1916

INSURANCE FUND, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

INSURANCE FUND, STATE (Continued)

Director of finance authorized to purchase reinsurance and collect agents' commissions thereon—
SB 491, pages 838, 1692

Premiums charged by, regulated—
HB 679, page 1669
SB 284, pages 263, 674

INSURANCE, STATE DEPARTMENT OF

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Automobile clubs and associations, licensing and regulation of—
SB 7, pages 6, 672, 1518

Service of legal process on superintendent of insurance, fee for acceptance of—
HB 230, pages 790, 902
SB 267, pages 260, 673

INTERMEDIATE COURT

Counties 76,000 to 96,000 population, clerical assistance for—
HB 905, pages 844, 971, 1065, 1205

INTERNAL REVENUE SERVICE, UNITED STATES

Fiduciaries, authorizing agreement with taxing authorities in distributing assets of an estate or trust to surviving spouse—
SB 179, page 131

INTERSTATE COMPACT ON JUVENILES

Adoption of—
SB 107, pages 34, 55, 349, 1863, 1896, 2133

INTERSTATE COMPACTS

Commission on intergovernmental cooperation, creation of—
HB 892, pages 1444, 1560, 2091, 2097, 2130
SB 554, pages 1024, 1349

"Vehicle Equipment Safety Compact," adoption of—
HB 642, pages 1233, 1343

INTOXICATING LIQUORS

See: ALCOHOLIC BEVERAGES; BEER—

INZER, CLARENCE

Expressing appreciation to—
SR 32, page 373

THE IOLA ROBERTS ELEMENTARY SCHOOL

Designation of—
HJR 158, pages 1795, 1965

IRRIGATION DISTRICTS

Director of irrigation, creating office of—
SB 436, pages 621, 1038, 1564, 1998, 2094, 2134

IRRIGATION DISTRICTS (Continued)

Sand Mountain area, creation of agency for development of—
SB 435, pages 621, 1037, 1563, 1997, 2094, 2134

Sand Mountain area, development of, CA—
SB 434, pages 620, 1038, 1565, 2000, 2093, 2134

THE J. EMMETT WOOD LAKE

Designation of—
SJR 22, pages 243, 452, 487, 566

JACKSON COUNTY

Branch banks, authorized—
HB 1125, pages 1296, 1504, 1618, 1791
HB 1276, pages 1722, 1802
SB 608, pages 1457, 1552, 1683, 1967, 2092, 2134

Branch banks, regulating establishment of—
SB 535, pages 960, 1033, 1396

County court, compensation of ex officio solicitor of—
HB 767, pages 749, 821, 1004, 1208

County court, expense allowance for judge—
HB 766, pages 748, 822, 1004, 1208

Library, public, establishment and operation of—
HB 1126, pages 1272, 1504, 1616, 1790

Sales and use taxes, levied—
HB 998, pages 1157, 1357, 1590

Scottsboro, city of, boundaries altered—
HB 1124, pages 1293, 1505, 1845, 1960

Tuberculosis sanatorium, establishment of—
SB 459, pages 691, 1031, 1392, 1876, 1926, 2133

Voters, reidentification of—
SB 607, pages 1455, 1552, 1684, 1967, 2092, 2134

JACKSONVILLE STATE COLLEGE

"Leston Crow Hall," designation of—
HJR 90, pages 667, 937

Operating statement and consolidated fund balance sheet, annual,
filing of—
HB 634, page 1747

Speakers at, regulating visitation of—
HB 973, pages 1081, 1264, 1362
SB 431, page 621
SB 443, page 622

JAILERS

Randolph County, compensation of—
HB 947, pages 927, 1035, 1585, 1786

JASPER, CITY OF

Ad valorem tax for school purposes, authorizing levy of, CA—
SB 350, pages 428, 534, 597, 746, 807, 828

JAVITS, SENATOR JACOB

Requested to investigate why miss Gloria John did not receive title of Miss U. S. A.
HJR 131, page 1321

JEFFERSON COUNTY

Ad valorem taxes, redemption of land sold for—
HB 1050, pages 1183, 1360, 1843, 1959

Alcoholic beverages, tax levied on—
HB 483, pages 409, 537, 722, 942, 1316, 1548

Arthropod control board, creation of—
HB 1256, pages 1658, 1696, 1851, 1963, 2009, 2102
SB 587, pages 1249, 1512, 1641

Beer, draft, sale and distribution of—
HB 1184, pages 1442, 1503, 1936, 2007, 2101

Bessemer, city of, boundaries altered—
HB 551, pages 499, 694, 732, 939
HB 553, pages 502, 695, 733, 943
HB 1056, pages 1184, 1359, 1594, 1787

Bessemer, city of, working hours for firemen—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

Birmingham, city of, authority of firemen to make arrests—
HB 1181, pages 1441, 1500, 1629, 1889

Birmingham, city of, authorizing chief administrative assistant to mayor of—
HB 500, pages 419, 541, 607, 626
SB 296, pages 303, 367, 608

Birmingham, city of, authorizing levy of ad valorem tax, CA—
HB 1051, pages 1183, 1358, 1592, 1793

Birmingham, city of, benefits payable under policemen and firemen's pension and relief fund—
HB 554, pages 503, 695, 734, 943

Birmingham, city of, compensation of councilmen—
HB 491, pages 413, 540, 605, 625
HB 1052, pages 1183, 1553, 1685, 1886
SB 297, pages 303, 367, 608

Birmingham, city of, composition of board of managers of pension and relief fund for employees of—
HB 1262, pages 1658, 1697, 1853, 1964

Birmingham, city of, defining injuries incurred by firemen in the line of duty—
HB 1182, pages 1441, 1501, 1630, 1889

Birmingham, city of, establishment of civic center in—
HB 1176, pages 1461, 1554, 1686, 1888
SB 558, pages 1025, 1129, 1427

Birmingham, city of, establishment of civic center in, CA—
HB 1178, pages 1440, 1502, 1616, 1793
SB 557, pages 1025, 1129, 1426

JEFFERSON COUNTY (Continued)

- Birmingham, city of, expense allowance for members of governing body—
HB 492, pages 414, 540, 605, 626
SB 298, pages 303, 367, 608
- Birmingham, city of, filing of statements of candidacy for office of mayor and councilmen—
HB 494, pages 419, 494, 606, 626
SB 300, pages 303, 368, 608
- Birmingham, city of, filling vacancies in the office of councilman—
HB 502, pages 419, 541, 608, 626
SB 302, pages 304, 368, 608
- Birmingham, city of, filling vacancy in the office of mayor of—
HB 496, pages 419, 540, 607, 626
SB 301, pages 303, 368, 608
- Birmingham, city of, power of recorder to require appeal bond in certain cases—
HB 1183, pages 1442, 1501, 1612, 1790
- Birmingham, city of, providing for adoption of ordinances or resolutions by petition or referendum—
HB 499, pages 435, 541, 722, 1124, 1197
- Birmingham, city of, providing for repeal of ordinances or resolutions by petition or referendum—
HB 498, pages 419, 541, 1935
- Birmingham, city of, regulating meetings of governing body of—
HB 493, pages 417, 540, 606, 626
SB 299, pages 303, 368, 608
- Birmingham, city of, training of firemen and policemen in disarming or neutralizing of explosives—
HB 1180, pages 1441, 1500, 1629, 1889
- Birmingham, city of, working hours for firemen—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031
- Board of education, appropriation for construction of facilities at Hall Kent school—
HB 713, pages 1081, 1348
- Board of education, appropriation for experimental classes for emotionally disturbed children—
HB 770, pages 1152, 1348, 1667, 1883
- Board of registrars, compensation of members—
HB 487, pages 413, 539, 603, 625
SB 309, pages 307, 370, 608
- Circuit clerk and register of circuit court, destruction of certain papers—
HB 1054, pages 1184, 1358, 1593, 1789
- Circuit clerk and register of circuit court, microfilming of certain documents—
HB 1055, pages 1184, 1359, 1594, 1787
- Circuit clerk, control and disposition of trust funds by—
HB 1130, pages 1268, 1501, 1612, 1788

JEFFERSON COUNTY (Continued)

Circuit court, providing for pre-trial conferences in certain cases—
HB 774, pages 642, 696, 1836, 1875, 1958

Civil court, abolished—
HB 490, pages 415, 539, 604, 623
SB 304, pages 304, 368, 608

Community Chest, exemption from taxation—
HB 929, pages 1670, 1802, 2087, 2112, 2125, 2132

Constables, fees and commissions of—
HB 486, pages 420, 539, 1935, 1975

County commission, legislative power relative to licensing of businesses and professions—
SB 311, pages 308, 370, 1567

Criminal court, abolished—
HB 488, pages 414, 539, 604, 622
SB 306, pages 306, 369, 608

Employees, payment of salaries of—
HB 1216, pages 1531, 1697, 1853, 1961

Fultondale, city of, alteration of boundaries of—
HB 485, pages 411, 538, 1582, 1785

Haskins & Sells, payment of moneys to—
HB 484, pages 410, 538, 603, 625

Hueytown, city of, boundaries altered—
HB 547, pages 494, 694, 990, 1119, 1201
HB 548, pages 496, 694, 981, 1119, 1201
SB 334, pages 318, 372, 976
SB 335, pages 319, 372, 976

Inferior court in precinct 33, establishment of—
HB 552, pages 501, 694, 733, 939

Inferior courts, authorizing legislature to regulate jurisdiction of, CA—
HB 557, pages 505, 696, 735, 943
SB 314, pages 309, 371, 976

Inferior courts having exclusive jurisdiction of juveniles, compensation of judges—
HB 501, pages 419, 541, 607, 626
SB 305, pages 305, 369, 608

Itinerant salesmen, prohibiting cities and towns from taxing sale of personal property by—
HB 1275, pages 1727, 1802, 1944, 1976

Judge of probate, supernumerary, creating office of—
HB 497, pages 417, 540, 978, 1198
SB 308, pages 307, 369, 976

Juvenile and domestic relations court, compensation of judge—
HB 569, pages 505, 696, 735, 940
SB 332, pages 316, 372, 976

Lands sold for taxes, redemption of—
SB 303, pages 304, 368, 1567

JEFFERSON COUNTY (Continued)

Law libraries, management and operation of—

HB 556, pages 504, 695, 734, 939

SB 333, pages 316, 372, 976

Legal documents filed for record, penalty for not including name and address of person preparing—

HB 1001, pages 1107, 1553, 1712, 1822, 1892

Lloyd, James W., relief of—

HB 773, pages 641, 696, 736, 940

Lodgings tax, levied—

HB 1177, pages 1439, 1503, 1614, 1790

Motion picture theatres, creating board to review and license exhibition of movies—

HB 1129, pages 1462, 1553, 1845, 1875, 1960

Motor fuels, exemptions from tax levied on—

HB 1053, pages 1184, 1358, 1585, 1593, 1787

Mountain Brook, city of, boundaries altered—

HB 868, pages 759, 819, 997, 1199

SB 417, pages 573, 693, 1040

Officials, state and county, elected from, regulating election of—

HB 775, pages 642, 696, 736, 940

HB 1030, pages 1147, 1361, 1713, 1885

SB 310, pages 307, 370, 976

SB 313, pages 308, 370, 976

Payrolls, certification of—

HB 1218, pages 1531, 1697, 1853, 1961

Plumbers, examination and certification of—

SB 504, pages 915, 1361, 1598, 1996, 2094, 2134

Sales and use taxes levied—

HB 482, pages 408, 537, 721, 941, 1313, 1547

Scholarship fund, authorizing appropriation for—

HB 503, pages 435, 541

Sewer lines, lateral, outside corporate limits of municipalities within, construction and improvement of—

HB 1179, pages 1441, 1500, 1611, 1789

Sheriff, fees of—

HB 1131, pages 1438, 1503, 1615, 1790

Solicitors, circuit and deputy, creating retirement system for—

HB 1057, pages 1186, 1357, 1591, 1787

Supernumerary inferior court judges, providing for—

HB 555, pages 503, 695, 734, 939

Tax assessor, appointment of assistant to tax assessor for Bessemer division—

HB 549, pages 497, 694, 732, 938

Tax collector, appointment of assistant to tax collector for Bessemer division—

HB 550, pages 498, 694, 732, 939

JEFFERSON COUNTY (Continued)

Tax commission, appointment of—
HJR 155, page 2126

Television facilities, community antenna, licensing and operation of—
HB 546, pages 494, 694, 731, 938
SB 312, pages 308, 370, 976

Tobacco tax, levied—
HB 1175, pages 1439, 1501, 1613, 1788

Water supplies, fluoridation of—
HB 1266, pages 1660, 1696, 1939, 1987, 2100

JEFFERSON DAVIS' BIRTHDAY

Sons of Confederate Veterans and United Daughters of the Confederacy commended for commemorating—
SJR 16, page 155

JESSE EARL SPEIGHT MALL

Appropriation, installation of plaques in—
SB 90, pages 26, 264, 322, 1736, 1758, 1915, 2111

JOHNSTON, HUGH D.

Houston County, city of Dothan, relief of—
HB 480, pages 398, 536, 602, 625

JOINT RESOLUTIONS

See: HOUSE OF REPRESENTATIVES; LEGISLATURE; RESOLUTIONS; SENATE—

JONES, BILL

Commended—
HJR 114, pages 97, 158

JONES, BURNIE EDWARD

Mourning death of—
HJR 15, pages 101, 158
SJR 10, pages 62, 103, 137, 156

JORDAN, JOHN HAMILTON

Mourning death of—
SJR 35, pages 442, 530, 570, 617

JUDGE, CIRCUIT

See also: CIRCUIT COURT; JUDICIAL CIRCUIT; specific judicial circuit—

Circuits composed of one county 48,020 to 49,750 population, expense allowance—
HB 903, pages 927, 972, 1069, 1399, 1549

Counties 54,000 to 56,000 population, expense allowance—
HB 538, pages 761, 1193, 1936

Counties 500,000 population or more, nomination and election of—
HB 775, pages 642, 696, 736, 940
HB 1030, pages 1147, 1361, 1713, 1885
SB 310, pages 307, 370, 976
SB 313, pages 308, 370, 976

JUDGE, CIRCUIT (Continued)

Eighth judicial circuit, expense allowance—
HB 1283, pages 1725, 1800, 1940, 1977

Fourteenth judicial circuit, expense allowance—
SB 277, pages 262, 676, 728, 1658, 1701, 1830, 1895, 2133

Judicial circuits composed of one county having one judge who is
judge of juvenile court, expense allowance—
HB 849, pages 750, 972, 1069

Judicial circuits composed of one county 65,000 to 95,000 popula-
tion, expense allowance—
SB 406, pages 570, 693, 729, 1155, 1218, 1450

Seventh judicial circuit, compensation—
HB 857, pages 753, 820, 1000, 1203

Seventh judicial circuit, expense allowance—
HB 859, pages 755, 820, 999, 1203

Sixth judicial circuit, creating addition judgeship—
HB 531, pages 767, 1031
SB 290, pages 302, 884

Supernumerary, compensation and expense allowance—
SB 94, pages 26, 200

Supernumerary, office abolished—
SB 150, pages 77, 201

Tenth judicial circuit, appointment and designation of judges of—
HB 793, page 1311

Tenth judicial circuit, creating additional judgeship—
SB 444, page 622

Twenty-eighth judicial circuit, appointment and compensation of
librarian-secretary—
HB 1093, pages 1373, 1509, 1936

Twenty-third judicial circuit, additional judgeship created—
HB 515, pages 379, 671, 1469, 1576
SB 190, page 136

JUDGE OF PROBATE

Administration of wills, settlement by consent without notice—
HB 411, pages 629, 920

Autauga County, payment of premium on bond of—
HB 1088, pages 1310, 1504, 1617, 1790

Baldwin County, compensation and clerical assistance—
HB 1090, pages 1743, 1801, 1971, 1999, 2101

Baldwin County, compensation and clerical assistance, CA—
HB 708, pages 552, 718, 994, 1202

Ballots, printing of names of candidates on—
HB 100, pages 1151, 1343

Boundaries of municipalities, time limitation for ordering election
on alteration of—
HB 84, pages 549, 676, 1469, 1575

Chambers County, compensation—
HB 909, pages 854, 966, 1051, 1213

JUDGE OF PROBATE (Continued)

- Cherokee County, compensation—
HB 1035, pages 1166, 1360, 1631, 1885
- Counties 17,400 to 17,800 population, clerical assistance—
HB 506, pages 435, 825, 1012, 1136, 1212
- Counties 19,000 to 19,500 population, compensation of clerk—
HB 946, pages 927, 1035, 1585, 1786
- Counties 26,000 to 27,000 population, clerical assistance—
SB 511, pages 924, 972, 1394, 1659, 1702, 1915
- Counties 38,000 to 45,000 population, payment of dues in associations of—
SB 462, pages 691, 825, 1014
- Counties 57,000 to 61,000 population, microfilming of records in office of—
HB 944, pages 877, 1037, 1413, 1577
- Counties 76,000 to 96,000 population, redemption of land sold for ad valorem taxes—
HB 904, pages 844, 971, 1066, 1205
- Counties 76,000 to 96,000 population, trial of inquisitions of lunacy—
SB 251, pages 226, 250, 293, 551, 570, 617
- Counties 96,000 to 106,000 population, expense allowance—
HB 1041, pages 1176, 1359, 1596, 1729, 1879
- Counties 110,000 to 160,000 population, expense allowance—
HB 1206, pages 1385, 1510, 1636, 1890
SB 550, pages 1023, 1130, 1415, 1727, 1756, 1915
- Counties 115,000 to 165,000 population, relieved of certain duties—
SB 222, pages 208, 239, 289, 550, 569, 617
- Counties 125,000 to 200,000 population, system of indexing and recording certain documents in office of—
HB 972, pages 1157, 1355, 1647, 1884
- Counties 300,000 to 500,000 population, compensation of general guardian appointed by—
HB 1281, pages 1801, 1942
- Counties 300,000 to 500,000 population, providing for appointment and compensation of temporary and special judge of probate—
HB 832, pages 780, 970, 1062, 1204
- Counties 500,000 population or more, election of—
HB 775, pages 642, 696, 736, 940
SB 310, pages 307, 370, 976
SB 313, pages 308, 370, 976
- Counties 500,000 population or more, nomination and election—
HB 1030, pages 1147, 1361, 1713, 1885
- Counties 600,000 population or more, redemption of land sold for taxes—
HB 1050, pages 1183, 1360, 1843, 1959
SB 303, pages 304, 368, 1567
- Dallas County, compensation—
SB 396, pages 480, 674, 725, 1155, 1218, 1265, 1447, 1450, 1452, 1680

JUDGE OF PROBATE (Continued)

- Escambia County, reidentification of voters—
HB 1241, pages 1665, 1696, 1849, 1963
- Lauderdale County, compensation and clerical assistance—
HB 455, pages 341, 373, 594, 616
- Lauderdale County, compensation and clerical assistance, CA—
HB 454, pages 339, 373, 594, 616, 1240
- Limestone County, clerical assistance—
HB 649, pages 514, 823, 1009, 1207
- Limestone County, repealing provision for temporary clerk for—
HB 644, pages 508, 824, 1011, 1206
- Livestock or other animals, registration of weapons or other device
used for capturing or immobilizing—
HB 415, pages 1305, 1693
- Madison County, compensation—
HB 1064, pages 1179, 1358, 1592, 1787
SB 522, pages 950, 1034, 1400, 1659, 1703, 1915, 1948
- Marshall County, expense allowance—
HB 519, pages 380, 542, 611, 944
- Notaries public, furnishing of certain information to secretary of
state relative to—
HB 314, pages 580, 669
- Partition proceedings in probate court, regulated—
HB 134, pages 1225, 1343
- Recording tax, amount of, and use of proceeds of—
HB 165, pages 1745, 1798
- Savings and loan associations, levy and collection of recording tax
on mortgages applicable to, or paid by—
SB 72, page 72
- Shelby County, compensation and clerical assistance—
HB 333, pages 182, 238, 285, 459
- Shelby County, compensation and clerical assistance, CA—
HB 332, pages 182, 238, 285, 459
- Supernumerary chief clerk, creating office of—
SB 197, page 159
- Walker County, clerical assistance—
SB 368, pages 472, 698, 1040
- Walker County, trial of inquisitions of lunacy—
SB 597, pages 1260, 1507, 1573
- Winston County, filling vacancy in office of—
HB 195, pages 123, 699, 984, 1200

JUDGE OF PROBATE, SUPERNUMERARY

- Counties 300,000 to 500,000 population, creating office of—
SB 514, pages 925, 1036, 1411
- Counties 500,000 population or more, creating office of—
HB 497, pages 417, 540, 978, 1198
SB 308, pages 307, 369, 976

JUDGES, SUPERNUMERARY

Appropriation, compensation of—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Judicial circuits composed of one county having four to nine judges, compensation—

SB 502, pages 897, 966, 1050

Office abolished—

SB 150, pages 77, 201

JUDGES, SUPERNUMERARY CIRCUIT

Compensation—

HB 495, pages 413, 540, 606, 626

SB 307, pages 307, 369, 608

Compensation and expense allowance—

SB 94, pages 26, 200

Office abolished—

SB 150, pages 77, 201

Qualifications of—

SB 262, pages 260, 669

JUDICIAL CIRCUITS

See also: CIRCUIT COURT; specific judicial circuit—

Circuit clerks and registers, investment of funds held by—

SB 71, page 23

Circuits composed of one county having from four to nine judges, compensation of judges—

SB 502, pages 897, 966, 1050

Circuits composed of one county having from four to nine judges, compensation of supernumerary circuit solicitor—

HB 1189, pages 1380, 1511, 1637, 1889

SB 563, pages 1028, 1131, 1419

Circuits composed of one county having one judge who is judge of juvenile court, expense allowance of judge—

HB 849, pages 750, 972, 1069

Circuits composed of one county 47,000 to 49,000 population, compensation of court reporter—

HB 1012, pages 1104, 1191, 1420, 1578

Circuits composed of one county 48,020, to 49,750 population, expense allowance for judge—

HB 903, pages 927, 972, 1069, 1399, 1549

Circuits composed of one county 60,500 to 65,000 population and having two judges, compensation of solicitor—

HB 508, pages 379, 1553, 1684, 1883

Circuits composed of one county 65,000 to 95,000 population, expense allowance for judge—

SB 406, pages 570, 693, 729, 1155, 1218, 1450

Circuits composed of one county 65,000 to 95,000 population, expense allowance for solicitor—

SB 407, pages 570, 693, 729, 1155, 1218, 1450

JUDICIAL CIRCUITS (Continued)

Circuits composed of one county 110,000 to 160,000 population, compensation of judges—

SB 348, pages 428, 534, 720, 1154, 1218, 1450

Circuits composed of one county 110,000 to 160,000 population, expense allowance for solicitor—

HB 719, pages 553, 701, 744, 818

Eighth judicial circuit, expense allowance for judges—

HB 1283, pages 1725, 1800, 1940, 1977

Fifteenth judicial circuit, appointment and compensation of deputy circuit solicitors—

SB 242, pages 221, 671, 1474, 1874, 1896, 2133

Fourteenth judicial circuit, expense allowance for judges—

SB 277, pages 262, 676, 728, 1658, 1701, 1830, 1895, 2133

Fourteenth judicial circuit, expense allowance for solicitor—

SB 278, pages 262, 276, 728, 1658, 1701, 1832, 1895, 2133

Fourth judicial circuit, clerical assistance for solicitor—

HB 473, pages 1157, 1356, 1587, 1651, 1793

Fourth judicial circuit, expense allowance for solicitor—

HB 474, pages 1157, 1356, 1586, 1651, 1794

Nineteenth judicial circuit, creation, of fund for use of—

HB 359, pages 1189, 1356, 1589, 1784

Seventh judicial circuit, compensation of court reporters—

HB 858, pages 754, 820, 999, 1203

Seventh judicial circuit, compensation of judges—

HB 857, pages 753, 820, 1000, 1203

Seventh judicial circuit, compensation of solicitor—

HB 852, pages 750, 820, 1001, 1203

Seventh judicial circuit, expense allowance for judges of—

HB 859, pages 755, 820, 999, 1203

Seventh judicial circuit, expense allowance for solicitor—

HB 861, pages 756, 820, 998, 1204

Sixteenth judicial circuit, number of lists of jurors in attendance required—

HB 73, pages 141, 243, 578, 692, 1040, 1212

Sixth judicial circuit, compensation of stenographic secretary to solicitor of—

SB 168, page 81

Sixth judicial circuit, creating additional judgeship—

HB 531, pages 767, 1031

SB 290, pages 302, 884

Sixth judicial circuit, expense allowance for deputy circuit solicitors—

HB 958, pages 872, 1351

Solicitors, compensation—

SB 505, pages 915, 1029

Solicitor's fund, created—

SB 61, pages 21, 532, 1470, 1878, 1926, 2133

JUDICIAL CIRCUITS (Continued)

- Tenth judicial circuit, appointment and compensation of additional deputy solicitors—
HB 772, pages 640, 696, 1517, 1649
SB 346, pages 356, 534, 1567
- Tenth judicial circuit, appointment and designation of judges—
HB 793, page 1311
- Tenth judicial circuit, creating additional judgeship—
SB 444, page 622
- Tenth judicial circuit, management of law libraries, and increasing law library tax—
SB 333, pages 316, 372, 976
- Tenth judicial circuit, nomination and election of judges of—
HB 1030, pages 1147, 1361, 1713, 1885
- Tenth judicial circuit, nomination and election of solicitor—
HB 1030, pages 1147, 1361, 1713, 1885
- Thirteenth judicial circuit, transfer of juvenile cases from family court division to adult division of—
HB 1139, pages 1276, 1509, 1628, 1887
- Thirty-fifth judicial circuit, created—
HB 588, pages 1149, 1349
- Thirty-fourth judicial circuit, created—
HB 203, pages 359, 1559
HB 266, pages 196, 670, 1470, 1576
- Twelfth judicial circuit, compensation of court reporters—
HB 545, pages 526, 701, 743, 818
SB 328, pages 315, 371, 455, 747, 806, 828
- Twelfth judicial circuit, expense allowance for solicitor—
HB 794, pages 768, 821, 1002, 1209
- Twenty-eighth judicial circuit, appointment and compensation of librarian-secretary to judge of—
HB 1093, pages 1373, 1509, 1936
- Twenty-second judicial circuit, compensation of court reporter—
HB 256, pages 171, 277, 271, 458
SB 146, pages 72, 127, 274
- Twenty-third judicial circuit, appointment and compensation of additional clerk by solicitor of—
SB 361, pages 467, 697, 738
- Twenty-third judicial circuit, appointment and compensation of deputy circuit solicitors—
HB 933, pages 842, 967, 1053, 1211
SB 481, page 834
- Twenty-third judicial circuit, clerical assistance for solicitor—
HB 828, pages 776, 821, 1002, 1209
- Twenty-third judicial circuit, compensation and duties of chief clerk and second clerk—
SB 361, pages 467, 697, 738
- Twenty-third judicial circuit, compensation of solicitor—
HB 826, pages 733, 823, 1007, 1207
SB 363, pages 471, 698, 739

JUDICIAL CIRCUITS (Continued)

Twenty-third judicial circuit, creating additional judgeship—
HB 515, pages 379, 671, 1469, 1576
SB 190, page 136

Thirty-third judicial circuit, expense allowance for solicitor—
SB 560, page 1027

JUDICIAL PROCEDURE

Circuit court, permitting motion to set aside judgment or decree, or granting of new trial—
HB 676, pages 792, 1028

Civil actions, striking of juries in—
SB 253, pages 226, 532, 614, 1875, 1896, 2133

Crossclaims and third party practice in civil actions at law, provided for—
HB 621, pages 1156, 1550, 2103, 2129

Defendant pleading guilty, dispensing with jury verdict and fixing of punishment of—
HB 374, page 1156
SB 170, page 82

Minors, liability of parents for damages caused by—
HB 377, pages 798, 1030, 2091

Non-resident owners and operators of boats and other water craft, service of process on—
HB 622, pages 1155, 1343

Subpoena duces tecum, providing for use of—
HB 792, pages 1231, 1343

Writs of error coram nobis, mode of procedure in bringing of—
HB 605, pages 1237, 1342

JUDSON COLLEGE

Appropriation, construction of chapel on campus of—
SB 151, page 77

JUNIOR CHAMBER OF COMMERCE

Commended—
HJR 150, pages 1710, 1881

JUNIOR COLLEGES

Alabama state college center at Mobile, development into junior college—
SB 254, pages 226, 321

Appropriation, reimbursement to certain educational institutions providing benefits to veterans and their dependents—
SB 160, pages 80, 266, 1365, 2104, 2123, 2134

Appropriation, supplemental—
HB 720, pages 881, 1031, 1895
SB 355, pages 433, 884, 1072, 1074, 1132, 1135, 1893, 1928, 2133

Bay Minette junior college, designation of "George C. Wallace Building"—
HB 165, pages 1745, 1798

JUNIOR COLLEGES (Continued)

- Committee on educational institutions to study, creation of—
SJR 65, pages 1865, 1933, 2111, 2123, 2135
- Enterprise junior college, designation of "George C. Wallace Hall"—
SJR 67, pages 1931, 1978, 2095, 2134
- Franklin County, establishment of scholarship program for residents of—
HB 378, pages 191, 239, 287, 459
- Gadsden junior college, designation of "George C. Wallace Hall"—
HJR 179, pages 1995, 2096, 2129
- Lawrence County junior college, establishment of—
HB 1058, pages 842, 967, 1053, 1211
- Naming administration buildings in honor of governor George C. Wallace—
HJR 174, pages 2004, 2097, 2129
- Northeast state junior college, designation of "George C. Wallace Hall"—
SJR 69, pages 1932, 1978, 2095, 2134
- Operating statement and consolidated fund balance sheet, filing of—
HB 634, pages 1747
- Southern union college, designation of "George C. Wallace Building"—
SJR 73, pages 1934, 1978, 2095, 2134
- Speakers at, regulating visitation of—
HB 973, pages 1081, 1264, 1362
SB 431, page 620
SB 443, page 622
- Tennessee valley junior college, designation of "Albert P. Brewer Library Building"—
SJR 74, pages 1288, 2116, 2123, 2135

JURIES AND JURORS

- Baldwin County, compensation of jurors—
HB 1095, pages 1373, 1509, 1632, 1886
- Bibb County, compensation of jurors—
HB 802, pages 790, 969, 1059, 1210
- Chambers County, compensation of jurors—
HB 423, pages 325, 535, 598, 624
- Civil actions, striking of juries in—
SB 253, pages 226, 532, 614, 1875, 1896, 2133
- Counties 76,000 to 96,000 population, trial of inquisitions of lunacy—
SB 251, pages 226, 250, 293, 551, 570, 617
- Dale County, compensation of jurors—
HB 1270, pages 1720, 1800, 1939, 1975
- Defendant pleading guilty, dispensing with jury verdict and fixing of punishment of—
HB 374, page 1156
SB 170, page 82
- Elmore County, compensation of jurors—
HB 476, pages 386, 536, 601, 625

JURIES AND JURORS (Continued)

Jurors, compensation—

HB 600, pages 1742, 1803

SB 287, page 263

Jury commission, appointment of members—

SB 340, pages 355, 1353

Jury commission, duties of clerk of—

SB 12, pages 7, 199

Jury commission, membership of, duties of clerk, and qualifications of persons on jury rolls—

SB 12, pages 7, 199

Jury commission, membership on—

SB 12, pages 7, 199

Morgan County, jury commission abolished and re-created—

HB 1154, pages 1284, 1500, 1611, 1789

Qualifications of persons on jury rolls—

SB 12, pages 7, 199

Sixteenth judicial circuit, number of lists of jurors in attendance required—

HB 73, pages 141, 243, 578, 692, 1040, 1212

Veterinarians, exemption from jury duty—

SB 120, pages 50, 200, 351, 1877, 1926, 2133

JURY COMMISSION

Clerk of, duties of—

SB 12, pages 7, 199

Counties 115,000 to 165,000 population, compensation of members—

HB 1205, pages 1385, 1510, 1636, 1890

SB 551, pages 1024, 1131, 1416, 1727, 1757, 1915

Counties 300,000 to 500,000 population, compensation of members—

SB 562, pages 1028, 1131, 1418, 1728, 1757, 1915

Membership of—

SB 12, pages 7, 199

Washington County, expense allowance for members—

HB 184, pages 115, 237, 282, 457

JUSTICE OF THE PEACE

Bond required of—

SB 209, page 163

Circuit court, regulating appeals from decisions of—

SB 207, page 163

Counties 60,500 to 65,000 population, execution of civil process by—

HB 1219, pages 1539, 1698, 1855, 1961

Counties 500,000 population or more, nomination and election of—

HB 775, pages 642, 696, 736, 940

HB 1030, pages 1147, 1361, 1713, 1885

SB 310, pages 307, 370, 976

SB 313, pages 308, 370, 976

JUSTICE OF THE PEACE (Continued)

Geneva County, jurisdiction—

HB 1045, pages 1178, 1356, 1588, 1786

SB 501, pages 896, 966, 1682

Jurisdiction of—

HB 351, pages 184, 238, 292, 459

Person convicted of offense causing disqualification for voting, report to department of public safety—

SB 485, pages 838, 973

JUSTICES, SUPERNUMERARY

Offices abolished—

SB 150, pages 77, 201

JUVENILE AND DOMESTIC RELATIONS COURT

Calhoun County, compensation of judge and probation officers, and providing for substitute judge of—

HB 862, pages 761, 820, 998, 1204

Jefferson County, compensation of judge—

HB 569, pages 505, 696, 735, 940

SB 332, pages 316, 372, 976

Jefferson County, creating retirement system for circuit and deputy solicitors—

HB 1057, pages 1186, 1357, 1591, 1787

JUVENILE COURT

Counties 600,000 population or more, compensation of probation officers—

HB 675, pages 633, 918, 2097, 2111, 2130

Counties 225,000 to 500,000 population, creating office of judge of—

SB 189, page 136

SB 213, pages 164, 236, 463, 546, 1227, 1245, 1451

KEEPING THE PEACE

Arrest, trial, and appeal of persons for breaching the peace—

HB 967, pages 1189, 1551

KELLER, MISS HELEN

Extending best wishes to—

HJR 77, pages 530, 615

KENNEDY, SENATOR BOBBY

Requested to investigate why Miss Gloria John did not receive title of Miss U. S. A.—

HJR 131, page 1321

KENNEDY, TOWN OF

Sales and use taxes levied by, collection of—

HB 504, pages 390, 541, 610, 944

KING, BOBBY JOE

Marshall County, relief of—

HB 1011, pages 1103, 1192, 1420, 1578

LABOR AND LABOR UNIONS

Unemployment compensation, benefits after termination of military service—

HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547

SB 225, pages 209, 366

Unemployment compensation, disqualification for—

SB 148, pages 75, 242

Unemployment compensation, election of employer to come under—

HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547

SB 225, pages 209, 366

Unemployment compensation, experience ratings, benefits, eligibility and disqualification for benefits, definition of wages, and court review of decisions under—

SB 289, pages 302

Unemployment compensation, experience ratings, benefits, eligibility for benefits, and disqualification for benefits under—

HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547

SB 225, pages 209, 366

Unemployment compensation, period and termination of employer's coverage under—

HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547

SB 225, pages 209, 366

Unemployment compensation, refund of contributions paid in error—

HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547

SB 225, pages 209, 366

Unemployment compensation, repealing provision for contributions by employees—

SB 289, page 302

Unemployment compensation trust fund, withdrawals from—

SB 227, pages 209, 366

Workmen's compensation law, medical, surgical, and hospital service under—

HB 97, pages 1524, 1693

Workmen's compensation law, pooling of liabilities by employers—

HB 310, pages 210, 242, 1478, 1499, 1513, 1576

SB 135, page 65

LABOR DEPARTMENT, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

LAFAYETTE, CITY OF

Boundaries altered—

HB 908, pages 867, 966, 1050, 1213

LAGRANGE HISTORICAL COMMISSION

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

LAMAR COUNTY

- Beaverton, town of, boundaries altered—
HB 1028, pages 1105, 1195, 1425, 1578
- Branch banking, authorized—
HB 822, pages 747, 822, 1006, 1200
- Court of county commissioners, compensation of members—
HB 1186, pages 1381, 1699, 1857, 1960
- Kennedy, town of, collection of sales and use taxes levied by—
HB 504, pages 390, 541, 610, 944
- Superintendent of education, compensation—
HB 821, pages 747, 822, 1006, 1207

LAND SURVEYORS

- Board of registration for professional engineers and land surveyors, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

LARCENY

- Grand, penalty for—
SB 153, page 78
- Petit, penalty for—
SB 93, page 26

LAUDERDALE COUNTY

- Boards of education, city, selection of textbooks—
HB 456, pages 343, 373, 592, 616, 1125, 1240
SB 245, pages 222, 267, 593
- Constables, additional, appointment of—
HB 1219, pages 1539, 1698, 1855, 1961
- Economic Opportunity Act of 1964, participation in—
SB 516, pages 946, 1034, 1402, 1659, 1703, 1915
HB 1220, pages 1539, 1697, 1855, 1962
- Elk river development agency, creation of—
HB 1019, pages 1105, 1351, 1646, 1730, 1880
SB 133, pages 65, 154, 300, 917
- Florence, city of, boundaries altered—
HB 870, pages 757, 819, 997, 1199
- Florence, city of, working hours for firemen—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031
- Hospitals, meetings of medical staff deemed privileged communications—
HB 1249, pages 1655, 1697, 1854, 1963
- Judge of probate, circuit clerk, sheriff, tax assessor, tax collector, and register, compensation and clerical assistance—
HB 455, pages 341, 373, 594, 616
- Judge of probate, circuit clerk, sheriff, tax assessor, tax collector, and register, compensation and clerical assistance, CA—
HB 454, pages 339, 373, 594, 616

LAUDERDALE COUNTY (Continued)

Justices of the peace, execution of civil process by—
HB 1219, pages 1539, 1698, 1855, 1961

Sheriff, compensation of secretary to—
HB 1004, pages 1099, 1800, 1941, 1975

Sheriff, creating civil service board of appeals relative to deputies
of—
HB 717, pages 553, 1553, 1685, 1883

Solicitor, circuit, compensation—
HB 508, pages 379, 1553, 1684, 1883

LAW AND EQUITY COURT

Chilton County, abolished and re-established—
HB 1038, pages 1168, 1359, 1597, 1786

Houston County, abolished and re-established—
HB 479, pages 517, 700, 742, 981, 1020

Shelby County, abolished and re-established—
HB 950, pages 856, 967, 1045, 1212

Winston County, jurisdiction, and compensation and practice of law
by judge of—
HB 347, pages 279, 372, 452, 488

LAW AND JUVENILE COURT

Elmore County, created—
HB 435, pages 328, 444, 535, 600, 624

LAW ENFORCEMENT FUND

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

LAW LIBRARIES

Etowah County, trial taxes for operation of—
HB 1242, pages 1652, 1695, 1847, 1963

Etowah County, trial tax for operation of, CA—
HB 867, pages 766, 819, 998, 1202

Jefferson County and Bessemer, management of, and increase in law
library tax for use of—
SB 333, pages 316, 372, 976
HB 556, pages 504, 695, 734, 939

Montgomery County, establishment of—
SB 183, pages 133, 234, 273, 549, 568, 617

Washington County, establishment of—
HB 179, pages 109, 236, 281, 457

LAWRENCE COUNTY

Election officials, compensation—
HB 1005, pages 1100, 1359, 1595, 1786

Industrial development of—
HB 509, pages 390, 541, 610, 944
HB 511, page 390

LAWRENCE COUNTY (Continued)

- Moulton, town of, boundaries altered—
HB 1187, pages 1382, 1506, 1623, 1792
- Sheriff, compensation of deputies—
HB 286, pages 178, 238, 284, 459
- Superintendent of education, compensation—
HB 287, pages 179, 238, 445, 488
- Surplus commodities, storage and distribution of—
HB 510, pages 390
- Thirty-fourth judicial circuit, creation of—
HB 203, pages 359, 1559

LAWRENCE COUNTY JUNIOR COLLEGE

- Establishment of—
HB 1058, pages 1306, 1513

LEE COUNTY

- Auburn, city of, authorizing additional ad valorem taxes, CA—
HB 1132, pages 1272, 1504, 1615, 1792
- Contingent fund, authorized—
HB 559, pages 551, 701, 991, 1199
- Sheriff, authorizing additional deputies—
HB 558, pages 551, 675, 727, 941
- Solicitor, county or deputy, expense allowance for—
HB 513, pages 551, 700, 986, 1200

LEFKOVITS, NORMAN

- Appreciation to—
SB 32, page 14

LEGAL NOTICES

- See: NOTICES—

LEGISLATIVE ADVISORY AND STUDY COMMITTEE

- Report filed with secretary—
page 704

LEGISLATIVE COMMITTEE ON PUBLIC ACCOUNTS

- Senate members elected—
page 154

LEGISLATIVE COUNCIL

- Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Election of members of—
SR 14, page 154

LEGISLATIVE REFERENCE SERVICE

- Director, compensation—
HB 836, pages 768, 919, 1749, 1783, 1806, 1820, 2108, 2130
- Expressing appreciation to staff of—
HJR 168, pages 1827, 1965

LEGISLATURE

See also: ACTS OF ALABAMA; HOUSE OF REPRESENTATIVES;
SENATE; RESOLUTIONS

Adjournment—

HJR 3, page 30
HJR 99, page 684
HJR 152, page 1728
SJR 21, page 215
SJR 25, page 254
SJR 42, page 683

Adjournment sine die—

SJR 75, pages 2090, 2115, 2127, 2135

Alabama Legislative Committee to preserve peace, report filed with
Secretary—
page 584

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
SB 185, pages 135, 233, 322, 463, 465, 566, 617

Budget document, extending time for filing—

SR 5, page 51

Clerical assistance for checking journals, provided for—

HJR 173, pages 1978, 2101

Commission on intergovernmental cooperation, creation of—

SB 554, pages 1024, 1349
HB 892, pages 1444, 1560, 2091, 2097, 2130

Committee created to study distribution of textbooks—

HJR 104, page 804

Committee created to study problems of production and processing
of cotton, continuation of—

HJR 4, pages 29, 63, 153

Committee on educational institutions, creation of—

SJR 65, pages 1865, 1933, 2111, 2123, 2135

Committee to investigate and study historical sites creation of—

HJR 5, page 35

Committee to investigate feasibility of constructing building on the
Jesse Earl Speight Mall, creation of—

HJR 144, pages 1545, 1650

Committee to study reapportionment, extending—

HJR 196, page 2118

Constitutional amendments proposed at 1965 special session, date for
holding election on—

HJR 16, pages 101, 344, 462, 487

Election of members, designation of places by number—

HB 489, pages 846, 974, 1426, 1576

Farmer's Day, expressing appreciation for lunch given legislature
on—

SR 8, page 56

LEGISLATURE (Continued)

Form disclosing connection with firms doing business with the state,
execution of—
SB 398, pages 481, 888

Geneva County, expense allowance for members of legislative delegation—
SB 588, pages 1249, 1505, 1621

Governor notified that legislature is in session—
HJR 2, page 4

Graham, Doctor Billy, invited to address—
SJR 17, page 201

House of representatives, election of speaker of, CA—
HB 445, pages 1239, 1352
SB 343, page 355

Legislative interim committee on Dauphin Island, Fort Morgan Bridge, Senate members appointed—
page 2111

Legislative interim committees, compensation and allowances of members and employees of—
HB 301, pages 1312, 1692

Legislative interim committee on educational institutions, Senate members and House members appointed—
pages 2111, 2135

Morgan, Earl, expressing appreciation to—
HJR 10, pages 37, 153

National guard, legislature asked to record opposition to reduction in effectiveness of—
SJR 13, page 71
HJR 12, page 99

Reapportionment of—
HJR 148, pages 1675, 1881

Reapportionment of, CA—
SB 496, pages 894, 919, 2134

Secretary of senate and clerk of house relieved of responsibility for codes, acts, journals, and other books furnished members—
SJR 66, pages 1931, 1978, 2094, 2134

Senate, members appointed on "Jesse Earl Speight Mall"—
page 2111

Senate, legislative committee on public accounts, building commission, and legislative council, election of members—
SR 14, page 154

Senate, reapportionment of—
SB 498, pages 894, 1030

Senate, reapportionment of, CA—
HB 24, pages 1737, 1797

Sessions, and compensation and allowances of members—
HB 301, pages 1312, 1692
SB 109, pages 34, 231, 353, 375, 889, 891, 906

LEGISLATURE (Continued)

Sessions, and compensation and allowances of members, CA—

HB 302, pages 1312, 1465

SB 110, pages 34, 231, 376, 890, 906

Tarwater, Doctor J. S., invited to address—

HJR 17, page 102

LESTER, TOWN OF

Industrial development of, CA—

HB 1026, pages 1105, 1361, 1606, 1792

SB 490, pages 838, 971, 1064, 1366, 1430, 1680

LESTON CROW HALL

Designation of—

HJR 90, page 667, 937

LETTERS OF CREDIT

Uniform commercial code, adoption of—

SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, (714), 1863, 1873, 1916

LEYBURN, BOYD HARLAN

Expressing appreciation to—

HJR 67, pages 453, 487

LIABILITY

Children, reporting of injuries inflicted upon, and exempting physicians from liability for reporting on—

HB 114, pages 633, 1354

SB 122, page 54

LIABILITY INSURANCE

Motor vehicle, contracts required to provide for loss caused by uninsured vehicle—

SB 10, pages 7, 672, 1516, 1877, 1926, 2133

Motor vehicle, recovery of damages from uninsured owner or operator—

HB 795, page 1234

Motor Vehicle Safety-Responsibility Act, giving and maintaining proof of financial responsibility under—

SB 11, page 7

Motor Vehicle Safety-Responsibility Act, payments sufficient to satisfy requirements of—

HB 356, pages 1443, 1551, 1810, 1823, 1892

Motor Vehicle Safety-Responsibility Act, security required, suspension of licenses, and registration under—

HB 355, pages 1443, 1552, 1809, 1823, 1892

State board of education and other educational institutions, authorizing liability insurance for employees of—

HB 965, pages 1233, 1351

LIBRARIES

Ad valorem tax for library purposes, cities and counties authorized to levy, CA—

HB 894, pages 1305, 1678

Alabama public library service, appropriation—

SB 157, page 80

SB 416, pages 573, 917

HB 390, pages 1021, 1345, 2011, 2103, 2128

Counties 36,600 to 37,600 population, establishment and operation of public library—

HB 1126, pages 1272, 1504, 1616, 1790

Etowah County, trial tax for operation of law library—

HB 1242, pages 1652, 1695, 1847, 1963

Etowah County, trial tax for operation of law library, CA—

HB 867, pages 766, 819, 998, 1202

Jefferson County and Bessemer law library funds, management of, and increase of law library tax—

SB 333, pages 316, 372, 976

HB 556, pages 504, 695, 734, 939

Library science, providing program for education in field of—

HB 823, pages 1233, 1346, 1513, 1649

SB 354, pages 433, 543, 1513

Mobile County, city of Prichard, coverage of employees under pension and relief system—

HB 409, pages 377, 968, 1056, 1211

Montgomery County, establishment of public law library—

SB 183, pages 133, 234, 273, 549, 568, 617

HB 525, pages 382, 542, 612, 944

Washington County, establishment of law library—

HB 179, pages 109, 236, 281, 457

LICENSE COMMISSIONER

Supernumerary, provided for—

SB 5, page 6

LICENSE INSPECTORS

Counties 96,000 to 106,000 population, compensation—

SB 234, pages 220, 252, 294, 628, 679, 716

LICENSES

Antique vehicles—

HB 15, pages 580, 885

SB 80, page 24

Beer, fees for retailers of—

HB 368, pages 1669, 1694

Cherokee County, private hunting preserves—

HB 353, pages 187, 238, 291, 459

Clarke County, private hunting preserves—

HB 467, pages 401, 536, 601, 625

Coosa County, commercial fishing—

HB 469, pages 523, 699, 984, 1200, 1541, 1649

LICENSES (Continued)

Cotton gins—

HB 190, pages 629, 702, 1217, 1550

Counties 57,000 to 61,000 population, creating office of commissioner of licenses—

HB 945, pages 866, 1036, 1412, 1577

Counties 76,000 to 96,000 population, commissioner of licenses prohibited from collecting fee for taking affidavit or administering oath of office—

HB 1032, pages 1164, 1360, 1597

SB 469, pages 813, 971, 1065, 1366, 1429, 1679

Counties 600,000 population or more, legislative power relative to issuance of—

SB 311, pages 308, 370, 1567

Dentists and dental hygienists, fee for annual registration of—

HB 193, pages 118, 699, 984, 1200

Drivers', suspension or revocation of—

SB 357, pages 440, 677

HB 841, pages 1217, 1552

Etowah County, barbers—

HB 75, pages 142, 240, 290, 457

Fishing with wire baskets, privilege license for—

SB 82, pages 25, 1039

Going out of business and distress merchandise sales—

SB 487, pages 838, 920

Hunting, exemption of persons over sixty-five—

SB 437, pages 621, 888, 1018, 1736, 1758, 1916

Hunting, nonresident trip, fee for issuance of—

HB 659, pages 1446, 1464

Hunting, special license for persons over sixty-five—

HB 692, pages 1150, 1347

Madison County, well drilling machinery—

HB 1280, pages 1724, 1802, 1944, 1977

SB 606, pages 1454, 1552, 1683, 1968, 2092, 2134

Marriage, eliminating requirement for permanent attachment of pre-nuptial certificate to—

SB 492, pages 838, 1342

HB 1075, pages 1739, 1798, 1952, 1977

Physical therapists—

HB 8, pages 793, 901, 1515, 1651, 1793

SB 78, page 24

Privilege, appropriation for printing of—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Rescue squads, volunteer, exempting from licensing and registration certain motor vehicles used by—

HB 11, pages 1152, 1347

Seed dealers, fees payable by—

SB 79, pages 24, 243

LICENSES (Continued)

Sewing machines, sales of—
SB 92, page 26

Slot machines, tables, or other such devices requiring federal gaming device stamp, privilege license tax levied on—
HB 671, pages 1148, 1344

Supernumerary license commissioner, provided for—
SB 5, page 6

“Vessels,” definition of—
SB 15, page 7

Wildlife management areas, special license for hunting deer and wild turkeys—
HB 693, pages 1150, 1347

LICENSING

Automobile clubs and associations—
SB 7, pages 6, 672, 1518

Corporation, foreign, having a name similar to another corporation, licensing of—
HB 108, pages 799, 902, 1780, 1882

Licensing board for general contractors, state appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

LIEUTENANT GOVERNOR

Board of registrars, designated as member of board of board of appointment of—
SB 46, pages 17, 126, 1513, 1734

Statement by, relative to adjournment of two houses, page 39

Statement by, relative to vote on S. B. 2, page 546

Succession to office, CA—
SB 101, page 27

LIFE AND ACCIDENT INSURANCE

Applications for policies of, regulated—
SB 268, pages 260, 673

Assignment of policies of—
HB 109, pages 799, 902, 2091

Policies of, assignment of—
SB 271, pages 261, 673
HB 109, pages 799, 902, 2091

LIMESTONE COUNTY

Ardmore, town of, boundaries altered—
SB 495, pages 839, 971, 1065, 1366, 1430, 1680, 2134

Board of education, authorizing construction of administrative building—
HB 645, pages 509, 824, 1011, 1206

Board of revenue, compensation of members—
HB 648, pages 512, 823, 1009, 1206

LIMESTONE COUNTY (Continued)

- Board of revenue, establishment of contingent fund—
HB 646, pages 510, 823, 1010, 1206
- Circuit clerk and register, compensation of additional clerk—
HB 650, pages 493, 823, 1008, 1207
- Economic Opportunity Act of 1964, participation in—
SB 517, pages 946, 1034, 1401, 1728, 1756, 1915
- Elk river development agency, creation of—
HB 1019, pages 1105, 1351, 1646, 1730, 1880
SB 133, pages 65, 154, 300, 917
- Elkmont, town of, boundaries altered—
HB 1277, pages 1725, 1801, 1942, 1976
SB 610, pages 1458, 1553, 1684, 1967, 2092, 2134
- Florence, city of, boundaries altered—
SB 425, page 590
- Judge of probate, repealing provision for temporary clerk for—
HB 644, pages 508, 824, 1011, 1206
- Judge of probate, tax assessor, and tax collector, clerical assistance—
HB 649, pages 514, 823, 1009, 1207
- Lester, town of, industrial development of, CA—
HB 1026, pages 1105, 1361, 1606, 1792
SB 490, pages 838, 971, 1064, 1366, 1430, 1680
- Sales and use taxes, exemptions from—
SB 424, pages 588, 825, 1015, 1366, 1429, 1679
- Sheriff, compensation of deputies—
HB 647, pages 511, 823, 1010, 1206
- Witness fees, payment of—
HB 1133, pages 1272, 1503, 1615, 1790

LINDERTIS ELVUSE

- Wishing speedy recovery of—
HJR 120, pages 1124, 1240

LIQUEFIED PETROLEUM GAS COMMISSION

- Liquefied petroleum gas board created in lieu of—
HB 162, pages 579, 671, 903, 1197
SB 43, pages 16, 264, 976

LIQUOR

- See: ALCOHOLIC BEVERAGES; BEER

LITTLE, COLONEL W. TANDY

- Extending congratulations to—
HJR 108, pages 1325, 1547

LIVESTOCK

- See also: name of specific animal
- Abusive treatment of, prohibited—
SB 426, page 619

LIVESTOCK (Continued)

Fat stock show, appropriation in aid of—
SB 62, page 21

Livestock market, public, penalty for selling livestock near—
SB 41, pages 16, 243

Meat and meat products, imported, regulating sale of—
SB 3, pages 6, 675

Southeastern livestock exposition, exemption from sales taxes—
SB 63, page 21

Tennessee valley livestock show, appropriation in aid of—
SB 4, pages 6, 1030

Weapon or other device used for capturing or immobilizing, registration of—
HB 415, pages 1305, 1693

LIVINGSTON STATE COLLEGE

Operating statement and consolidated fund balance sheet, annual, filing of—
HB 634, page 1747

Speakers at, regulating visitation of—
HB 973, pages 1081, 1264, 1362
SB 431, page 620
SB 443, page 622

LIVINGSTON, TOWN OF

Boundaries altered—
HB 1192, pages 1383, 1506, 1623, 1792

Industrial development of, CA—
HB 1193, pages 1387, 1508, 1635, 1891

LLOYD, JAMES W.

Jefferson County, relief of—
HB 773, pages 641, 696, 736, 940

LOAN COMPANIES

See: BANKS AND BANKING; SMALL LOAN COMPANIES

LOCKE, HUGH A.

Commended—
HJR 26, pages 230, 460

LONG, JOHNNY

Commended—
HJR 18, pages 100, 158

LOWNDES COUNTY

Coroner, expense allowance—
HB 1135, pages 1273, 1505, 1620, 1791

Voters, times and places for registration of—
HB 560, pages 527, 675, 727, 941

LYONS, DOCTOR CHAMP

Commended—

SJR 68, pages 1931, 1978, 2095, 2134

LYSERIC ACID DIETHYLAMIDE

Control of—

HB 1081, pages 1443, 1557

MACHINERY

Machinery and equipment used for certain agricultural purposes,
tax levied on persons selling—
SB 81, page 25

MACK M. MATTHEWS SCHOOL

Designation of—

HJR 177, pages 2003, 2101

MACON COUNTY

Board of education, compensation and expense allowance for mem-
bers of—
HB 1136, pages 1274, 1503, 1682, 1887

Board of registrars, per diem allowance for members of—
HB 1008, pages 1101, 1195, 1425, 1578

Board of revenue, expense allowance for members of—
HB 215, pages 166, 535, 976, 1196

Circuit clerk, clerical assistance—
HB 216, pages 168, 535, 598, 624

Inferior court, compensation of judge and solicitor of—
SB 512, pages 924, 972, 1395, 1659, 1702, 1829, 1893, 1915, 1928,
2134

Judge of probate, clerical assistance—
SB 511, pages 924, 972, 1394, 1659, 1702, 1915

Sheriff, clerical assistance—
SB 513, pages 924, 972, 1395

Superintendent of education, compensation—
HB 1007, pages 1101

MADISON COUNTY

Ad valorem tax, assessment of property for—
HB 1213, pages 1390, 1510, 1636
SB 576, pages 1144, 1357, 1571

Alcoholic beverages and beer, regulating sale of—
SB 263, pages 260, 322, 449, 615, 619, 685
HB 514, pages 379, 542, 725, 1040, 1394

Board of education, selection of textbooks—
HB 1138, pages 1275, 1510, 1635, 1887
SB 540, pages 960, 1033, 1396, 1659, 1703, 1915, 1946, 1988, 2095,
2134

MADISON COUNTY (Continued)

Cigarette tax, distribution of proceeds of—
HB 296, pages 194, 238, 285, 459, 664, 945
HB 961, pages 841, 968, 1055, 1212
SB 484, pages 836, 965, 1050

Circuit court, compensation of deputy register and bailiff of family court divisions of—
HB 517, pages 380, 542, 725, 978
SB 192, pages 136, 235, 274, 550, 569, 617

Coroner, compensation—
HB 827, pages 774, 821, 1002, 1209
SB 360, pages 466, 697, 738

County court, compensation of judge of—
HB 1065, pages 1180, 1361, 1605, 1787
SB 523, pages 951, 1034, 1401, 1659, 1703, 1915, 1947

Economic development of, CA—
SJR 48, pages 974, 1034, 1400, 1733, 1757, 1915

Huntsville, city of, authorizing levy of sales and use taxes—
HB 516, pages 379, 700, 986, 1121, 1201
SB 238, pages 220, 251, 293

Huntsville, city of, election and term of mayor and councilmen—
SB 239, pages 221, 251, 294, 550, 569, 617
SB 264, pages 260, 322, 448

Huntsville, city of, membership of planning commission—
SB 559, pages 1027, 1131, 1416, 1728, 1757, 1915

Huntsville, city of, preservation of historical sites, monuments, and architectural character—
SB 549, pages 1023, 1130, 1432

Huntsville, city of, working hours for firemen—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

Judge of probate, compensation—
HB 1064, pages 1179, 1358, 1592, 1787
SB 522, pages 950, 1034, 1400, 1659, 1703, 1915, 1948

Judge of probate, expense allowance—
HB 1206, pages 1385, 1510, 1636, 1890
SB 550, pages 1023, 1130, 1415, 1727, 1756, 1915

Judges, circuit, compensation—
SB 348, pages 428, 534, 720, 1154, 1218, 1450

Jury commission, compensation of members—
HB 1205, pages 1385, 1510, 1636, 1890
SB 551, pages 1024, 1131, 1416, 1727, 1757, 1915

Madison, town of, alteration of boundaries of—
HB 871, pages 795, 819, 995, 1199
SB 418, pages 575, 698, 740

New Hope, town of, boundaries altered—
HB 825, pages 771, 822, 1006, 1200, 1448, 1575
SB 362, pages 469, 697, 738

MADISON COUNTY (Continued)

Payment of certain claims against the county, authorized—

HB 1137, pages 1274, 1510, 1637, 1887

SB 541, pages 961, 1033, 1396, 1659, 1703, 1915

Solicitor, circuit, compensation—

HB 826, pages 773, 823, 1007, 1207

Solicitor, circuit, expense allowance—

HB 719, pages 553, 701, 744, 818

SB 347, pages 427, 534, 720, 1190, 1218, 1450

Solicitors, deputy circuit, appointment and compensation—

HB 933, pages 842, 967, 1053, 1211

Tax assessor and tax collector, compensation and clerical assistance—

HB 932, pages 1084, 1193, 1422, 1577

SB 483, pages 835, 965, 1049, 1391, 1430, 1680

Taxes and licenses, alternate method of assessing and collecting—

SB 222, pages 208, 239, 289, 550, 569, 617

Well drilling machinery, licensing and regulation of—

HB 1280, pages 1724, 1802, 1944, 1977

SB 606, pages 1454, 1552, 1683, 1968, 2092, 2134

MADISON, TOWN OF

Boundaries, alteration of—

HB 871, pages 795, 819, 995, 1199

SB 418, pages 575, 698, 740

MAGAZINES

Obscene, regulating traffic in—

SB 320, page 313

MAGISTRATES

Breaching the peace, regulating arrest, trial, and appeal of persons
for—

HB 967, pages 1189, 1551

MARENGO COUNTY

Board of education, selection of textbooks and instructional materials for use in public schools—

SB 318, pages 311, 533, 596, 746, 806, 828, 1126, 1320, 1369, 1451

SB 373, pages 475, 677, 728

Board of registrars expense allowance for members—

HB 1162, pages 1378, 1507, 1634, 1887

SB 547, pages 1023, 1131, 1416

Board of revenue, expense allowance for members—

HB 518, pages 390, 542, 610, 944

Cobb, Buford, relief of—

SB 319, pages 319, 371, 451, 614, 619, 685

Gaineswood, appropriation for purchase and operation as historical site—

SB 224, pages 209, 885

MARENGO COUNTY (Continued)

John Essex school, appropriation for reconstruction of—
HB 144, pages 323, 670, 1484, 1485, 1486, 1678, 1679, 1712, 1733,
1740, 1818, 1956

Sweet Water town of, boundaries altered—
HB 1253, pages 1655, 1697, 1852, 1963

MARINERS

Absentee voting by, authorized—
HB 664, pages 1151, 1355, 1817, 1958

MARION, CITY OF

Boundaries altered—
HB 839, pages 775, 970, 1062, 1210

MARION COUNTY

Bear Creek development authority, incorporation of—
HB 449, pages 491, 886, 1689, 1730, 1879

Bear Creek development authority, incorporation of, CA—
HB 450, pages 493, 887, 1691, 1891

Evidence in certain civil actions, admissibility of—
HB 1264, pages 1657, 1804, 1950, 1977

Fishing regulated—
HB 297, pages 179, 1558, 1687, 1882

Glen Allen, town of, boundaries altered—
HB 1278, pages 1723, 1804, 1945, 1977

Guin, town of, boundaries altered—
HB 121, pages 107, 267, 445, 486, 489

Municipalities in, refunding of certain securities issued by, CA—
HB 448, pages 338, 1558, 1688, 1890

Register, clerical assistance—
HB 1066, pages 1182, 1307, 1559, 1689, 1886

Superintendent of education, compensation—
HB 119, pages 105, 267, 445, 488

Superior court, jurisdiction—
HB 120, page 106

Wilson, L. C., relief of—
HB 298, pages 181, 1558, 1687, 1882

MARION MILITARY INSTITUTE

Appropriation—
SB 144, pages 72, 203, 264

Trophy to outstanding mathematics student in freshman class of,
awarding of—
SR 6, page 55

MARITAL RELATIONS

Alimony, maximum amount to be granted—
SB 570, page 1079

Children, time limitation for appeals from decrees affecting custody of—
HB 226, pages 210, 1029

Court order requiring father to support child, penalty for failure to comply with—
HB 221, pages 1739, 1799

Divorce, prescribing grounds for—
HB 225, pages 210, 1029

Divorce, residence requirements for—
HB 264, pages 1153, 1550
SB 22, pages 10, 199

Divorce suits, property settlements in—
HB 72, pages 554, 1030

Marriage license, eliminating requirement for permanent attachment of pre-nuptial certificate to—
SB 492, pages 838, 1342
HB 1075, pages 1739, 1798, 1952, 1977

MARRIAGE AND DIVORCE

Alimony, maximum amount to be granted—
SB 570, page 1079

Children, time limitation for appeals from decrees affecting custody of—
HB 226, pages 210, 1029

Divorce, prescribing grounds for—
HB 225, pages 210, 1029

Divorce, residence requirements for—
HB 264, pages 1153, 1550
SB 22, pages 10, 199

Marriage license, eliminating requirement for permanent attachment of pre-nuptial certificate to—
SB 492, pages 838, 1342

MARSHALL, BENNY

Commended—
HJR 113, pages 882, 1198

MARSHALL COUNTY

Circuit clerk and register, abolition of branch offices at Albertville—
HB 1142, pages 1276, 1553, 1686

County court, compensation of register—
HB 872, pages 758, 819, 996, 1199

County court, consolidation of branches of—
HB 1143, pages 1278, 1554, 1686

County court, limitation on taxation of costs in—
SB 220, pages 206, 239, 288, 627, 679, 716

MARSHALL COUNTY (Continued)

- Fishing, regulated—
SB 605, pages 1453, 1552, 1683, 1967, 2092, 2134
- Guntersville, city of, jurisdiction of the planning commission—
SB 458, pages 690, 718, 992, 1312, 1369, 1451
- Henry, Elmer, relief of—
SB 378, pages 477, 718, 992, 1311, 1368, 1451
- Judge of probate, circuit clerk, sheriff, tax assessor, tax collector,
and register, expense allowance—
HB 519, pages 380, 542, 611, 944
- King, Bobby Joe, relief of—
HB 1011, pages 1103, 1192, 1420, 1578
- Legal notices, newspaper publication of—
SB 221, pages 207, 239, 288, 627, 679, 716
- Purchasing, regulated—
HB 934, pages 848, 1035, 1402, 1540, 1578
- Sheriff, appointment and compensation of deputies—
HB 778, pages 653, 719, 995, 1199
- Sheriff, transfer of all records to office of—
HB 1144, pages 1280, 1554, 1686
- Solicitor, deputy, office abolished—
HB 1013, pages 1104, 1191, 1585
- Stone, Ray, relief of—
HB 1010, pages 1102, 1192, 1420, 1578

MASONS

- Alabama Masonic Home, exemption from taxation—
HB 929, pages 1670, 1802, 2087, 2112, 2125, 2132
- Ninety-fifth anniversary of annual Masonic Day Celebration at
Floral, congratulations on—
HJR 37, pages 323, 460

MAYOR-COUNCIL FORM OF GOVERNMENT

- Cities 200,000 to 300,000 population, adoption of—
SB 138, pages 66, 127, 344, 1979, 2093, 2134
- Cities 300,000 population or more, compensation of councilmen—
HB 491, pages 413, 540, 605, 625
SB 297, pages 303, 367, 608
- Cities 300,000 population or more, filing of statements of candidacy
for office of mayor and councilmen—
HB 494, pages 419, 494, 606, 626
SB 300, pages 303, 368, 608
- Cities 300,000 population or more, filling vacancy in office of mayor—
HB 496, pages 419, 540, 607, 626
SB 301, pages 303, 368, 608
SB 302, pages 304, 368, 608
HB 502, pages 419, 541, 608, 626

MAYOR-COUNCIL FORM OF GOVERNMENT (Continued)

Cities 300,000 population or more, providing for adoption of ordinances or resolutions by petition or referendum—
HB 499, pages 435, 541, 722, 1124, 1197

Cities 300,000 population or more, providing for repeal of ordinances or resolution by petition or referendum—
HB 498, pages 419, 541, 1935

Cities 300,000 population or more, regulating meetings of governing body of—
HB 493, pages 417, 540, 606, 626
SB 299, pages 303, 368, 608

Mayor and aldermen, election and compensation—
HB 86, pages 549, 676
SB 56, pages 18, 241

McCAIN, SENATOR WILLIAM C.

Wishing speedy recovery of son of—
SJR 41, pages 683, 1118, 1133, 1243

McDIVITT, JAMES

Commended—
HJR 38, pages 324, 460

McDOW, SENATOR J. T.

Expressing appreciation to—
SR 32, page 373

McKENZIE, TOWN OF

School at, attendance of non-resident school pupils at—
SB 353, pages 430, 534, 976, 1267, 1368, 1451

McMILLAN, MRS. ED LEIGH

Mourning death of—
HJR 91, pages 668, 937

MEAT AND MEAT PRODUCTS

Imported, regulating sale of—
SB 3, pages 6, 675

MENTAL HEALTH

Activities related to, creating single state agency to coordinate—
HB 699, pages 1269, 1557, 1897, 1914, 1935, 1953, 1969, 2115, 2130
SB 352, pages 430, 901

Alabama special mental health fund, amount of tax on alcoholic beverages credited to—
HB 1141, pages 1739, 1802, 2083, 2114

MENTAL INSTITUTIONS

See: ALABAMA STATE HOSPITALS; BRYCE HOSPITAL; HOSPITALS; MOUNT VERNON HOSPITAL; PARTLOW STATE SCHOOL

MERCHANTS

Going out of business and distress merchandise sales, licensing and regulation of—
HB 914, pages 1268, 1463, 1647, 1883

MERIT SYSTEMS

See: CIVIL SERVICE SYSTEMS; EMPLOYEES, STATE; name of specific city, county, or town

METCALF, RAMSEY LAFAYETTE

Marion Military Institute, awarding of trophy to outstanding mathematics student in freshman class of—
SR 6, page 55

MICROFILMING

Counties 57,000 to 61,000 population, microfilming of records in office of judge of probate, register, and circuit clerk—
HB 944, pages 877, 1037, 1413, 1577

Counties 600,000 population or more, microfilming of certain documents by the circuit clerk and register of the circuit court—
HB 1055, pages 1184, 1359, 1594, 1787

MILITARY DEPARTMENTS, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

MILK CONTROL BOARD, STATE

Composition and appointment of members, appointment of employees, and records required to be kept by licensees—
HB 912, pages 1156, 1352, 1562, 1649

MILLRY, TOWN OF

Boundaries altered—
HB 181, pages 112, 237, 282, 457

MINERALS

State-owned lands, regulating sale of minerals on—
SB 84, page 25

MINES AND MINING

Dynamite, regulating sale, possession, and use of—
HB 385, pages 628, 1551

Explosives permissible under "Alabama Coal Mine Safety Law of 1949"—
HB 104, pages 210, 240, 350, 457
SB 18, pages 9, 128, 350

MINISTERS AND CLERGYMEN

Communicants or confessors, privileged communications between—
SB 114, pages 45, 232, 1779, 1992, 2093, 2113

MINORS

Alcoholic beverages, penalty for purchasing, consuming, or transporting—

SB 494, pages 839, 932, 1485, 1998, 2094, 2134

Appeals from decrees affecting custody of, time limitation for—

SB 104, pages 33, 200, 348, 1863, 1896, 2132

Children under sixteen, penalty for assault and battery upon—

SB 325, page 314

Counties 125,000 to 225,000 population, definition of, and penalty for, contributing to the delinquency of children—

SB 184, pages 135, 273, 551, 568

Court order requiring father to support child, penalty for failure to comply with—

HB 221, pages 1739, 1799

SB 105, pages 33, 668

Custody of, time limitation for appeals from decrees affecting—

HB 226, pages 210, 1029

Delinquency of, penalty for contributing to—

SB 322, page 313

Destruction of property, recovery of damages from parents of—

HB 377, pages 798, 1030, 2091

SB 203, pages 162, 532

Enticing for immoral purposes, penalty for—

SB 323, page 314

HB 232, pages 1239, 1805

Garnishment for collection of child support, exemption of wages on writ of—

SB 411, page 572

Indecent exposure in presence of, penalty for—

HB 234, pages 1738, 1805

SB 321, page 313

Indecent molestation of, penalty for—

SB 324, page 314

Interstate compact on juveniles, adoption of—

SB 107, pages 34, 55, 349, 1863, 1896, 2133

Phenylketonuria, treatment and testing of newborn infants for—

HB 10, pages 264, 677

SB 9, pages 7, 200, 351, 2001, 2093, 2134

Removing child from the state to thwart court order relative to custody of, penalty for—

SB 181, page 132

Reporting of injuries inflicted upon, and exemption from civil liability for making reports—

SB 8, pages 6, 230, 351, 464, 1736, 1758, 1915

Savings and loan deposits in two names, payment of principal and interest—

HB 66, pages 1746, 1804

MISDEMEANOR

Statutory offenses of inciting to, penalty for—
SB 603, pages 1453, 1551

MOBILE, CITY OF

Alabama state college center, development into junior colleges—
HB 140, pages 1377, 1560, 2082, 2112

Board of adjustment, qualifications for membership on—
HB 726, pages 760, 1362, 1607, 1729, 1879

Boundaries altered—
SB 466, pages 809, 964, 1046, 1967, 2091, 2134
HB 1232, pages 1523, 1697, 1854, 1962

City court, name of recorders court changed to—
HB 723, pages 766, 823, 1008

Firemen, working hours of—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

Historical sites, monuments, and architectural character, preservation of—
HB 1145, pages 1286, 1511, 1638, 1887

Humane officer, assistant, appointment and compensation of—
HB 408, pages 417, 693, 979, 1198

Mayor-council form of government, adoption of—
SB 138, pages 66, 127, 344, 1979, 2093, 2134

Negro policemen used to preserve order at Alabama state college, commended—
HJR 59, pages 363, 461

Planning commission, qualifications of members—
HB 725, pages 761, 1362, 1606, 1728, 1879

Policemen and firemen's pension and relief fund, investment of—
HB 564, pages 778, 1035, 1410, 1550

Recorders court, selection, qualifications, compensation, and duties of judge and officers of—
SB 602, pages 1264, 1511, 1639

MOBILE COUNTY

Art gallery, appropriation for operation of—
HB 721, pages 643, 696, 982, 1200

Assessment of property, determination of ration percentages used in establishing assessed values from appraised values—
HB 1015, pages 1371, 1512, 1640, 1884
SB 509, pages 923, 1036, 1410

Beer, draft, sale and distribution of—
SB 566, pages 1079, 1195, 1426

Board of health, designation of treasurer of—
HB 562, pages 643, 824, 1011, 1205

Boundaries altered—
HB 979, pages 1147, 1558

MOBILE COUNTY (Continued)

- Bray, Mrs. Emma J., relief of—
HB 1231, pages 1533, 1695, 1850, 1974
SB 581, pages 1145, 1357, 1589, 1821, 1838, 1916
- Chickasaw, city of, boundaries altered—
HB 1233, pages 1531, 1699
- Civil service system, definitions under law creating—
HB 1069, pages 1715, 1801
- Cosmetology, licensing and regulation of practice of—
HB 1146, pages 1380, 1579
- Court of general sessions, compensation of clerk—
HB 145, pages 1370, 1511, 1638, 1882
- Deer, regulating hunting of—
HB 1234, pages 1531, 1696, 1851, 1962
- Elected officials and former elected officials, retirement allowances for—
HB 1190, pages 1536, 1695, 1850, 1960
- Family court division of circuit court, transfer of juvenile cases to adult division of—
HB 1139, pages 1276, 1509, 1628, 1887
- Humane officer, assistant, appointment and compensation of—
HB 408, pages 417, 693, 979, 1198
- Judge of probate, compensation of general guardian appointed by—
HB 1281, pages 1801, 1942
- Judge of probate, special and temporary, providing for appointment and compensation of—
HB 832, pages 780, 970, 1062, 1204
- Judge of probate, supernumerary, creating office of—
SB 514, pages 925, 1036, 1411
- Jury commissions, compensation of members—
SB 562, pages 1028, 1131, 1418, 1728, 1757, 1915
- Juvenile court, creating office of judge of—
SB 189, page 136
SB 213, pages 164, 236, 463, 546, 1227, 1245, 1451
- Legislative delegation, Mobile area chamber of commerce, Baldwin County Chamber of Commerce, and the Mobile County commission, expressing appreciation to—
HJR 22, pages 151, 461
- Mobile, city of, adoption of mayor-council form of government—
SB 138, pages 66, 127, 344, 1979, 2093, 2134
- Mobile, city of, boundaries altered—
SB 466, pages 809, 964, 1046, 1967, 2091, 2134
HB 1232, pages 1523, 1697, 1854, 1962
- Mobile, city of, development of Alabama state college center into junior college—
HB 140, pages 1377, 1560, 2082, 2112

MOBILE COUNTY (Continued)

- Mobile, city of, investment of policemen and firemen's pension and relief fund—
HB 564, pages 778, 1035, 1410, 1550
- Mobile, city of, name of recorders court changed to "The City Court of Mobile, Alabama"—
HB 723, pages 766, 823, 1008
- Mobile, city of, preservation of historical sites, monuments, and architectural character—
HB 1145, pages 1286, 1511, 1638, 1887
- Mobile, city of, qualifications for membership on board of adjustment—
HB 726, pages 760, 1362, 1607, 1729, 1879
- Mobile, city of, qualifications of members of planning commission—
HB 725, pages 761, 1362, 1606, 1728, 1879
- Mobile, city of, selection, qualifications, compensation, and duties of judge and officers of recorders court—
SB 602, pages 1264, 1511, 1639
- Mobile, City of, working hours for firemen—
HB 722, pages 1737, 1863
SB 260, pages 250, 1031
- Pistol permit, fee for issuance of—
HB 941, pages 931, 1036, 1412, 1577
- Plumbers, examination and certification of—
SB 504, pages 915, 1361, 1598, 1996, 2094, 2134
- Prichard, city of, boundaries altered—
HB 1232, pages 1523, 1697, 1854, 1962
- Prichard, city of, coverage of library employees under pension and relief system—
HB 409, pages 377, 968, 1056, 1211
- Prichard, city of, qualifications for benefits under water works and sewer board pension and relief system—
HB 148, pages 421, 1036, 1412, 1576
- Prichard, city of, working hours for firemen—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031
- Register, deputy, appointment and compensation—
SB 556, pages 1025, 1131, 1419, 1989, 2094, 2134
- Satsuma, town of, boundaries altered—
HB 413, pages 629, 1035, 1410, 1577
- Solicitor, circuit, compensation—
HB 1189, pages 1380, 1511, 1637, 1889
- Tax assessor, compensation—
SB 413, pages 572, 693, 979
- Tax collector, mileage allowance—
HB 135, pages 506, 692, 978, 1198
- Voting machines, regulating use of—
HB 1282, pages 1738, 1801, 1942, 1976

MOBILE HOMES

Requiring inspection of—
SB 172, pages 82, 1465

MOBILE JUNIOR MISS PAGEANT

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

MONROE COUNTY

Board of registrars, meeting places—
HB 1150, pages 1281, 1499, 1610, 1788

Court of county commissioners, appointment and compensation of clerk—
HB 156, pages 109, 674, 726, 940

Court of county commissioners, expense allowance for members of—
HB 154, pages 108, 698, 740, 937, 943
SB 553, pages 1024, 1128, 1414, 1728, 1757, 1915

Deer, regulating hunting of—
HB 873, pages 758, 819, 996, 1199

Engineer, compensation—
HB 157, pages 109, 674, 726, 940

Sheriff, authorizing additional deputies—
HB 155, pages 109, 536, 598, 624

MONTGOMERY, CITY OF

Firemen, working hours of—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031

Governing body, compensation of members—
HB 567, pages 529, 675, 1394
SD 336, pages 320, 367, 450, 746, 807, 828

Housing authority, powers of—
HB 731, page 1226

Recorder and prosecuting attorney of recorder's court, compensation—
SB 282, pages 262, 321, 448

MONTGOMERY COUNTY

Circuit court, suits against examiners of public accounts required to be brought in—
SB 539, page 960

"Contributing to the delinquency of children," definition of, and penalty for—
SB 184, pages 135, 235, 273, 551, 568

Judge of probate, system of indexing and recording certain documents in office of—
HB 972, pages 1157, 1355, 1647, 1884

Juvenile court probation officers, compensation of—
HB 675, pages 633, 918, 2097, 2111, 2130

MONTGOMERY COUNTY (Continued)

Law library, public, establishment of—

SB 183, pages 133, 234, 273, 549, 568, 617

HB 525, pages 382, 542, 612, 944

Montgomery, city of, compensation of members of governing body—

HB 567, pages 529, 675, 1394

SB 336, pages 320, 367, 450, 746, 807, 828

Montgomery, city of, powers of municipal housing authority—

HB 731, page 1226

Montgomery, city of, working hours for firemen—

HB 722, pages 1737, 1803

SB 260, pages 250, 1031

Plumbers, examination and certification of—

SB 504, pages 915, 1361, 1598, 1996, 2094, 2134

Recorder and prosecuting attorney of recorder's court of cities
within, compensation—

SB 282, pages 262, 321, 448

MOORE, DOCTOR A. B.

Governor and director of finance authorized to deliver certain prop-
erty to—

HJR 147, pages 1674, 1881

MORGAN COUNTY

Board of registrars, meeting days of—

HB 736, pages 554, 823, 1008, 1207

Board of revenue and control, compensation of members—

HB 1151, pages 1281, 1500, 1610, 1788

Commissioner of licenses, creating office of—

HB 945, pages 866, 1036, 1412, 1577

County court, expense allowance for judge of—

SB 583, pages 1245, 1513, 1575

County court, expense allowance for solicitor of—

SB 584, pages 1246, 1504, 1572

Decatur, city of, boundaries altered—

SB 423, page 586

SB 585, pages 1246, 1506, 1572, 2107, 2119, 2125, 2126, 2128, 2129,
2131, 2135

Decatur, city of, creation of civil service system—

HB 784, pages 654, 821, 1003, 1208

Decatur, city of, power and authority of recorder—

HB 1259, pages 1656, 1695, 1847, 1964

Decatur, city of, working hours for firemen—

HB 722, pages 1737, 1803

SB 260, pages 250, 1031

Hartselle, town of, boundaries altered—

SB 521, pages 949, 1037, 1413, 2123, 2135

Jury commission, abolished and re-created—

HB 1154, pages 1284, 1500, 1611, 1789

MONTGOMERY COUNTY (Continued)

Microfilming of records in office of the judge of probate, register, and circuit clerk, provided for—
HB 944, pages 877, 1037, 1413, 1577

Precincts, designation of, and appointment and compensation of election officials—
HB 734, pages 554, 823, 1010, 1207

Tax assessor, compensation—
HB 1153, pages 1283, 1500, 1611, 1788

Tax collector, compensation—
HB 1152, pages 1281, 1500, 1610, 1788

Trinity, town of, boundaries altered—
HB 522, pages 388, 542, 611, 944

MORGAN, EARL

Expressing appreciation to—
HJR 10, pages 37, 153

MORTGAGES

Counties 600,000 population or more, penalty for not including name and address of person preparing—
HB 1001, pages 1107, 1553, 1712, 1822, 1892

Purchaser, lien holder, or mortgagee of real property, assessment and collection of ad valorem taxes—
SB 70, pages 23, 1342

Real property, time limitation in which to exercise right of redemption—
SB 266, page 260
SB 349, pages 428, 669
HB 573, pages 1080, 1342

Recording privilege tax, amount of, and use of proceeds of—
HB 165, pages 1745, 1798

Savings and loan associations, levy and collection of recording tax on mortgages applicable to, or paid by—
SB 72, page 72

Uniform commercial code, adoption of—
SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, (714), 1863, 1873, 1916

Uniform vendor and purchaser risk act, adoption of—
HB 58, pages 1377, 1798

MORTICIANS

Sales tax, sale of certain property to, designated as sale at retail—
HB 328, pages 1668, 1694, 1811, 1822, 1892
SB 383, pages 479, 919

Use tax, sale of certain property to, designated as sale at retail—
SB 381, pages 479, 919
HB 572, pages 1189, 1350, 1816, 1957
HB 729, pages 1668, 1694, 1813, 1958

MOTELS

Counties 500,000 population or more, lodgings tax levied—
HB 1177, pages 1439, 1503, 1614, 1790

MOTION PICTURE THEATRES

Counties 600,000 population or more, creating board to review and
license exhibition of movies—
HB 1129, pages 1462, 1553, 1845, 1875, 1960

Motion pictures, obscene, regulating traffic in—
SB 320, page 313

MOTOR CARRIERS

Common and contract carriers, regulating leasing of motor vehicles
by and to—
SB 392, page 480

Fuel used by, collection and distribution of proceeds of tax levied
on—
HB 326, pages 1446, 1559, 2085, 2113
SB 380, page 478

MOTOR FUELS

Gasoline, hours for unloading of—
HB 222, pages 1377, 1464, 1813, 1957

Gasoline tax, state, providing for the distribution of the proceeds
of—
HB 451, pages 800, 886, 1071, 1208

MOTOR VEHICLE SAFETY-RESPONSIBILITY ACT

Payments sufficient to satisfy requirements of—
HB 356, pages 1443, 1551, 1810, 1823, 1892

Proof of financial responsibility under, giving and maintaining—
SB 11, page 7

Security required, suspension of licenses, and registration under—
HB 355, pages 1443, 1552, 1809, 1823, 1892

MOTOR VEHICLES

Antique vehicles, licensing and registration of—
HB 15, pages 580, 885
SB 80, page 24

Counties 100,000 to 115,000 population, transfer of ownership of—
HB 1025, pages 1105, 1513, 1643, 1885

Drivers' licenses, regulating suspension of—
HB 841, pages 1217, 1552

Drivers' licenses, suspension or revocation of—
SB 357, pages 440, 677

Enlisted men of national guard, exemption from license and registra-
tion fee—
SB 327, pages 315, 1132

Length of, regulated—
HB 584, pages 1745, 1804, 2115, 2130

MOTOR VEHICLES (Continued)

Liability insurance contracts required to provide for loss caused by uninsured vehicle—
SB 10, pages 7, 672, 1516, 1877, 1926, 2133

Liability insurance, recovery of damages from uninsured owner or operator—
HB 795, page 1234

License tags, regulating transfer of—
SB 231, pages 219, 544

Lights permissible on, prescribing—
HB 446, pages 1233, 1342, 1951, 1988, 2100

“Motor Vehicle Safety-Responsibility Act,” giving and maintaining proof of financial responsibility under—
SB 11, page 7

“Motor Vehicle Safety-Responsibility Act,” payments sufficient to satisfy requirements of—
HB 356, pages 1443, 1551, 1810, 1823, 1892

“Motor Vehicle Safety-Responsibility Act,” security required, suspension of licenses, and registration under—
HB 355, pages 1443, 1552, 1809, 1823, 1892

Motorcycles and motorbikes, operators and riders required to wear protective helmets—
HB 601, page 1377

Municipal parking authorities, incorporation of—
HB 439, pages 1237, 1555

Oversized, issuance of permits for movement of—
HB 896, pages 1151, 1552
SB 115, page 45

Person rendering care at scene of accident, exemption from civil liability—
HB 16, page 1146

Requiring inspection of—
SB 172, pages 82, 1465

Rescue squads, volunteer, exempting from licensing and registration certain motor vehicles used by—
HB 11, pages 1152, 1347

Seizure, forfeiture, and disposition of vehicles used in committing felony—
SB 376, page 477

Size and weight limits, amount allowed, and exemptions from—
HB 824, pages 1149, 1344
SB 379, page 478

Tail lamps on, placement of—
HB 431, page 1149

“Vehicle Equipment Safety Compact,” adoption of—
HB 642, pages 1233, 1443

Vehicles hauling loose sand, gravel, sawdust, or like substance, required to have load covered to prevent leaking or sifting—
SB 493, page 839

MOTORCYCLES

Operators and riders of, required to wear protective helmets—
HB 601, page 1377

MOULTON, TOWN OF

Boundaries altered—
HB 1187, pages 1382, 1506, 1623, 1792

MOUNT VERNON HOSPITAL

Alabama special mental health fund, amount of tax on alcoholic
beverages credited to—
HB 1141, pages 1739, 1802, 2083, 2114

MOUNTAIN BROOK, CITY OF

Boundaries altered—
HB 868, pages 759, 819, 997, 1199
SB 417, pages 573, 693, 1040

MOUNTAIN LAKES ASSOCIATION

Appropriation—
SB 432, page 620

MUNICIPAL PARKING AUTHORITIES

Incorporation of—
HB 439, pages 1237, 1555

MUSEUMS

Southern University, establishment of museum at site of—
SB 252, page 226

University of Alabama museum fund, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

NATIONAL ACCELERATOR LABORATORY

Expressing interest in establishment in Alabama—
HJR 70, pages 453, 487

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Bonds for construction of housing facilities for displaying exhibits
of, issuance of—
HB 1061, pages 1227, 1354, 2067, 2096, 2132

Bonds for construction of housing facilities for displaying exhibits
of, issuance of, CA—
HB 1060, pages 1226, 1354, 2071, 2096, 2131

Expressing appreciation to—
HJR 33, pages 277, 460

NATIONAL BLIND GOLFERS' TOURNAMENT

Jaycees commended, for bringing tournament to Montgomery—
HJR 150, pages 1710, 1881

NATIONAL GUARD

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Enlisted men exempted from certain fees—

SB 327, pages 315, 1132

Legislature asked to record opposition to reduction in effectiveness of—

SJR 13, page 71
HJR 12, page 99

Opposing move to combine with U. S. Army reserves—

HJR 12, page 99

NEW HOPE INDUSTRIES OF DOTHAN

Exemption from taxation—

HB 929, pages 1670, 1802, 2087, 2112, 2125, 2132

NEW HOPE, TOWN OF

Boundaries altered—

HB 825, pages 771, 822, 1006, 1200, 1448, 1575
SB 362, pages 469, 697, 738

NEWSPAPERS

Legal notices, rates for publication of—

HB 715, pages 633, 702, 1514, 1649
HB 716, pages 634, 702, 1514, 1649

Legal notices, supplemental method for publication of—

SB 178, pages 131, 268

Obscene, regulating traffic in—

SB 320, page 313

NINETEENTH JUDICIAL CIRCUIT

Solicitor's fund, creation of—

HB 359, pages 1189, 1356, 1589, 1784

NON-RESIDENTS

Boats and other water craft, service of process on non-resident owners and operators of—

HB 622, pages 1155, 1343

Service of process on, evidence of—

HB 787, pages 1230, 1550

Service of process on, method for—

SB 544, page 1022
HB 319, pages 580, 669

NORTHEAST STATE JUNIOR COLLEGE

"George C. Wallace Hall," designation of—

SJR 69, pages 1932, 1978, 2095, 2134

NOTARIES PUBLIC

Geneva County, jurisdiction of—

HB 1045, pages 1178, 1356, 1588, 1786

Secretary of state, maintenance of record of—

HB 314, pages 580, 669

NOTICES

Legal, rates for publication of—

HB 715, pages 633, 702, 1514, 1649

HB 716, pages 634, 702, 1514, 1649

Legal, supplemental method for publication of—

SB 178, pages 131, 268

Marshall County, newspaper publication of legal notices in—

HB 221, pages 1739, 1799

NOVAK, MRS. TONY

Commended—

HJR 101, pages 803, 946

NUCLEAR DEVELOPMENT

Appropriation for—

HB 397, pages 1117, 1346, 2080, 2113

SB 164, page 81

NURSERYMEN

Separate places of business, licensing of—

SB 409, page 572

NURSES

Accredited school of nursing, definition of—

HB 619, pages 1237, 1557

SB 119, pages 50, 201, 1487, 1822, 1837, 1916

Board of nurses' examiners and registration, state, appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Counties 76,000 to 96,000 population, exempting schools of nursing from civil service system—

HB 804, pages 792, 822, 1007, 1207

NURSING

Schools of nursing, regulation and approval of—

SB 210, pages 163, 543, 1487, 1561, 1866, 1927, 2133

NURSING HOMES

Fraternal organizations and nursing homes that accept only indigent patients, licensing of—

HB 702, pages 633, 1032, 2091

SB 285, page 263

O. D. DURAN JUNIOR HIGH SCHOOL, THE

Designation of—

HJR 159, pages 1795, 1965

OFFICERS, COUNTY

Bonds required of, execution of—

SB 537, pages 960, 1029

Funds deposited in bank, relieved of certain liability for loss of—

SB 515, pages 925, 1030

OFFICERS, STATE

Bonds required of, execution of—
SB 538, pages 960, 1029

Vacancies in elective offices, confirmation by senate of appointment to fill—
SB 341, pages 355, 1353

OIL AND GAS BOARD, STATE

Appeals from a ruling of, method for—
HB 142, pages 581, 1037

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Compensation and expenses of members of—
HB 128, pages 629, 887

Emergency rules, making of—
HB 141, pages 581, 1037

Unit operations, approval of interest of the royalty and overriding royalty owners in unit area—
HB 143, pages 581, 1037

OIL AND GAS SUPERVISOR, STATE

Compensation—
HB 127, pages 1438, 1560

OLD AGE PENSIONS

Eligibility for—
HB 259, page 1235

Public assistance recipients, appointment and removal of legal representative to manage payments to—
SB 106, pages 34, 54, 257, 268, 1862, 1896, 2133

Surplus commodities, penalty for false representation of—
SB 108, pages 34, 54, 349, 1863, 1896, 2133

OPTOMETRY

Regulating practice of—
HB 205, pages 554, 677, 909, 1020

ORDER OF WOMEN LEGISLATORS

Representative Clara Stone Fields Collins designated as delegate to convention of—
HJR 139, pages 390, 1546

OXFORD, CITY OF

Boundaries altered—
HB 242, pages 170, 237, 442, 488

PARDONS AND PAROLES

Governor appoints members of State Board of, page 692

State board of, compensation of members—
HB 136, pages 359, 438
SB 74, page 24
SB 75, page 24

PARKS, MONUMENTS, AND HISTORICAL SITES

Alabama civil war centennial commission, transfer of title of certain property to—
SB 374, pages 476, 918, 1643, 1967, 2091, 2134

Cahaba historical commission, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Creating legislative advisory and study committee for—
HJR 5, page 35

Death benefit claims accruing against division of state parks, monuments, and historical sites, appropriation for payment of—
SB 586, page 1249
HB 1255, pages 1739, 1802

DeSoto state park, appropriation for construction of camp site at—
SB 132, page 62

First white house of the confederacy, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Fort Morgan historical commission, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
SB 446, page 622

Fort Morgan historical commission, authorizing living quarters and sale of certain printed material by employees of—
SB 542, pages 963, 1196

Gaineswood, appropriation for purchase and operation as historical site—
SB 224, pages 209, 885

Gorgas memorial board, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Gulf state park, repairing and furnishing of motel and water system at—
SB 410, pages 572, 1030
HB 848, pages 1445, 1559, 2091

Hall of fame board, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

LaGrange historical commission, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Richmond Pearson Hobson memorial board, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Southern university, establishment of museum at site of—
SB 252, page 226

State parks, requesting recension of order requiring fees to be charged for entrance to—
SR 43, page 704

PARTITION PROCEEDINGS

Service of process on certain persons in—
HB 305, pages 1225, 1343

PARTLOW, DOCTOR RUFUS CORNELIUS

Extending best wishes to—
HJR 34, pages 277, 460

PARTLOW STATE SCHOOL

Alabama special mental health fund, amount of tax on alcoholic
beverages credited to—
HB 1141, pages 1739, 1802, 2083, 2114

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Board of Managers, members of appointed by Governor, page 2124

Mental health, creating single state agency to coordinate activities
related to—
HB 699, pages 1269, 1557, 1897, 1914, 1935, 1953, 1969, 2115, 2130
SB 352, pages 430, 901

Merit system, establishment of—
HB 703, pages 1524, 1694, 1862, 1958

PATENTS

Grants and patents issued by the state, recordation of—
HB 317, pages 580, 669

PATHOLOGISTS

Qualifications, annual permit and penalty for performing service
without permit—
SB 430 page 620

PEACE OFFICERS

Riots liability for killing, wounding, or injuring person taking part
in—
SB 196 pages 137, 232

PECANS

Sale of, regulated—
HB 417, pages 1670, 1693, 2099, 2130
SB 88, pages 26, 242

PELL CITY, CITY OF

Boundaries altered—
HB 175, pages 278, 321, 448, 489

PENITENTIARIES

See: BOARD OF CORRECTIONS, STATE; CONVICTS; PRISON-
ERS; PRISON; name of specific prison or correctional institution

PENSION AND RELIEF SYSTEMS

See: RETIREMENT SYSTEMS

PENSIONS AND SECURITY, COUNTY DEPARTMENT OF

Eligibility for—

HB 259, page 1235

Public assistance recipients, penalty for obtaining surplus commodities by false representation—

SB 108, pages 34, 54, 249, 1863, 1896, 2133

Surplus commodities, penalty for false representation of—

SB 108, pages 34, 54, 349, 1863, 1896, 2133

PENSIONS AND SECURITY, STATE DEPARTMENT OF

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Counties 60,000 population or more, compensation of probation officers—

HB 675, pages 633, 918, 2097, 2111, 2130

Governor appoints members of State Board, pages 212, 1472, 1579

Interstate compact on juveniles, adoption of—

SB 107, pages 34, 55, 349, 1863, 1896, 2133

Old age assistance, eligibility for—

HB 259, page 1235

Public assistance recipients, appointment and removal of legal representative to manage payments to—

SB 106, pages 34, 54, 257, 268, 1862, 1896, 2133

Public assistance recipients, penalty for obtaining surplus commodities by false representation—

SB 108, pages 34, 54, 349, 1863, 1896, 2133

PERRY COUNTY

Marion, city of, boundaries altered—

HB 839, pages 775, 970, 1062, 1210

Sales and use taxes, distribution of proceeds of—

HB 875, pages 800, 970, 1061, 1210

Sheriff, number of deputies and their compensation—

HB 523, pages 404, 542, 611, 944

Solicitor, county or deputy, compensation—

HB 524, pages 405, 542, 612, 944

PERSONNEL

See: CIVIL SERVICE SYSTEMS; EMPLOYEES, STATE; RETIREMENT SYSTEMS

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Employees, state, maximum compensation of—

HB 836, pages 7, 68, 919, 1749, 1783, 1806, 1820, 2108, 2130

PERSONS, GOVERNOR GORDON

Mourning death of—

SJR 23, pages 244, 263, 298, 425

Memorial page for, page 299

PESTICIDE RESIDUES

Laboratory for making analysis of, establishment of—

SB 433, page 620

HB 1006, pages 1741, 1798

PETIT LARCENY

Penalty for—

SB 93, page 26

PHARMACISTS

Licensing and regulating practice of—

SB 579, page 1145

PHENYLKETONURIA

Requiring testing and treatment of newborn infants for—

HB 10, pages 264, 677

SB 9, pages 7, 200, 351, 2001, 2093, 2134

PHILLIPS, HUNTER

Commended—

SR 72, page 1933

PHILPOTT, DOCTOR HARRY M.

Extending welcome to—

SJR 11, pages 63, 103, 137, 156

PHYSICAL THERAPISTS

Examination and licensing of—

HB 8, pages 793, 901, 1515, 1651, 1793

SB 78, page 24

PHYSICALLY HANDICAPPED

Requiring public buildings to be made accessible to—

SB 68, pages 23, 201, 246, 1231, 1245, 1451

PHYSICIANS AND SURGEONS

Children, reporting of injuries inflicted upon, and exemption from liability for reporting on—

SB 8, pages 6, 230, 351, 464, 1736, 1758, 1915

SB 122, page 54

HB 114, pages 633, 1354

Medicine, privilege license tax on persons engaged in practice of—

HB 740, pages 1148, 1557

Physicians teaching in medical colleges, issuance of certificates of qualification to—

HB 5, page 635

SB 66, pages 66, 201, 246, 1870, 1927, 2133

State board of examiners in the basic sciences, fees payable by applicants—

SB 167, page 81

PICKENS COUNTY

Board of equalization, compensation of members—
HB 543, pages 400, 543, 614, 817

County offices, closing of—
HB 1212, page 1390

Ethelsville, town of, boundaries altered—
SB 592, pages 1251, 1507, 1580, 1821, 1838, 1916

Sales and use taxes, levied—
HB 169, pages 143, 236, 285, 457, 582, 945

Tax assessor and tax collector, clerical assistance—
HB 1022, pages 1147, 1361, 1605, 1729, 1879

Teacher tenure, abolished—
SB 447, pages 686, 826, 1017, 1680

PIKE COUNTY

Appropriation construction of agricultural center facility in—
HB 170, pages 634, 1350, 1814, 1957

Board of education selection of textbooks and instructional material
for use in public schools—
HB 966 pages 878, 1034, 1401, 1549, 1834, 1964

"The General Stringer High School," designation of—
HJR 61, pages 364, 461

Solicitor, county, appointment and compensation of secretary to—
SB 145, pages 72, 321, 447, 462, 745, 806, 828

Superintendent of education, expense allowance—
HB 1235, pages 1530, 1696, 1852, 1962

PISTOLS

Counties 55,000 to 60,000 population, fee for issuance of permit for—
HB 865, pages 931, 1035, 1409, 1549

Counties 150,000 to 400,000 population, fee for issuance of permit
for—
HB 941, pages 931, 1036, 1412, 1577

Shooting or throwing missiles into dwelling house and other build-
ings, penalty for—
HB 293, page 793

PLANNING

Cities 70,000 to 130,000 population, membership of planning commis-
sion—
SB 559, pages 1027, 1131, 1416, 1728, 1757, 1915

Cities 200,000 to 300,000 population, qualifications of members of
planning commission—
HB 725, pages 761, 1362, 1606, 1728, 1879

Marshall County, city of Guntersville, jurisdiction of planning com-
mission—
SB 458, pages 690, 718, 992, 1312, 1369, 1451

Shelby County, creation of county planning commission—
HB 952, pages 1112, 1695, 1937, 1987, 2100

PLANNING AND INDUSTRIAL DEVELOPMENT BOARD, STATE

Abolished and recreated—
SB 206, page 162

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

POLE TRAILERS

Requiring inspection of—
HB 289, page 793
SB 172, pages 82, 1465

POLICEMEN

Alabama peace officer standards and training commission, establishment of—
SB 412, page 572

Cities 300,000 population or more, training of policemen in disarming or neutralizing explosives—
HB 1180, pages 1441, 1500, 1629, 1889

False personation of, penalty for—
HB 295, page 794

Jefferson County, city of Birmingham, benefits payable under pension and relief fund—
HB 554, pages 503, 695, 734, 943

Mobile, city of, investment of policemen and firemen's pension and relief fund—
HB 564, pages 778, 1035, 1410, 1550

Riots, liability of peace officers for killing, wounding, or injuring person taking part in—
SB 196, pages 137, 232

POLITICAL PARTIES

Ballots, printing of names of candidates on—
HB 100, pages 1151, 1343

Voting of straight party ticket in one operation, prohibiting—
HB 386, pages 635, 888

POLL TAX

Abolished, CA—
SB 13, pages 7, 126

Exemptions from, CA—
SB 212, page 163
HB 609, pages 1152, 1345

POLLUTION

Water improvement commission, creation of—
HB 132, pages 715, 1032, 1760, 1784, 1822, 1892
SB 25, page 10
SB 124, page 60

POOL, CAROL

Commended—
HJR 162, pages 1828, 1965

POULTRY

Appropriation, control of diseases of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

POWELLS CROSSROADS, TOWN OF

Boundaries altered—
SB 611, pages 1460, 1552, 1781

PRESIDENT, UNITED STATES

Right to vote on candidates for, provided for—
HB 25, pages 1150, 1345

PRICHARD, CITY OF

Boundaries altered—
HB 1232, pages 1523, 1697, 1854, 1962
Library employees, coverage under pension and relief systems—
HB 409, pages 377, 968, 1056, 1211
Water works and sewer board pension and relief system, qualifications for benefits under—
HB 148, pages 421, 1036, 1412, 1576

PRIMARY ELECTIONS

See also: ABSENTEE VOTING; ELECTIONS; VOTERS; VOTING

Absentee voting by seamen, sailors, and mariners, authorized—
HB 664, pages 1151, 1355, 1817, 1958

Absentee voting, regulated—
HB 47, pages 1151, 1353
SB 20, pages 10, 888

Challenge of voters, providing for and regulating—
SB 482, pages 835, 973

Cities 300,000 population or less, omitting name from ballot if only one person has filed statement of candidacy—
HB 87, pages 491, 668, 808, 945

Counties 50,000 to 54,000 population, regulating conduct of municipal elections—
HB 1265, pages 1657, 1699, 1857
SB 600, pages 1263, 1511, 1574, 1821, 1838, 1916

Counties 57,000 to 61,000 population, designation of precincts and appointment and compensation of election officials—
HB 734, pages 554, 823, 1010, 1207

Counties 300,000 to 500,000 population, regulating use of voting machines—
HB 1282, pages 1738, 1801, 1942, 1976

Counties 500,000 population or more, nomination of certain county and party officers—
HB 1030, pages 1147, 1361, 1713, 1885

Election officials, compensation—
HB 80, page 1111
SB 377, pages 477, 974

PRIMARY ELECTIONS (Continued)

Expenses of, appropriation for payment of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Greene County, compensation of election officials—
SB 248, pages 223, 251, 349, 550, 570, 617, 1215, 1320, 1369, 1451

Greene County, providing for use of voting machines—
SB 247, pages 222, 251, 375

Lawrence County, compensation of election officials—
HB 1005, pages 1100, 1359, 1595, 1786

Legislature, designation of places by number—
HB 489, pages 846, 974, 1426, 1576

Persons eighteen or over qualified to register and vote—
SB 241, page 221

Persons eighteen or over qualified to register and vote, CA—
SB 240, page 221

Poll tax, abolished, CA—
SB 13, pages 7, 126

Poll tax, exemptions from, CA—
SB 212, page 163

PRISONERS

See also: BOARD OF CORRECTIONS, STATE; CONVICTS;
PRISONS; name of specific prison or correctional institution

Attorney's fees in indigent capital cases, appropriation for payment
of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Automatic appeal expense, appropriation for payment of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Highway department, state, regulating working of—
HB 916, pages 1229, 1351, 1807, 1959
SB 454, pages 689, 884

Indigent convicted defendants, appropriation for appeals by—
HB 165, pages 1745, 1798

Sentencing of convicts to imprisonment in the penitentiary, regu-
lating—
HB 835, page 1158

Writs of error coram nobis, mode of procedure in bringing of—
HB 605, pages 1237, 1342

PRISONS

Bonds for construction of prison and correctional facilities, issuance
of—
SB 216, pages 164, 231, 909, 921, 936, 1235, 1917, 1928, 2134
HB 668, page 632

Bonds for construction of prison and correctional facilities, issuance
of, CA—
SB 217, pages 165, 232

PRODUCTION CREDIT ASSOCIATIONS

Corporate status of, and method of taxation of—
HB 153, pages 196, 553, 1019, 1203

PROFESSIONS AND OCCUPATIONS

Alabama dental service corporation act, enactment of—
HB 307, pages 1747, 1803
SB 236, pages 220, 266

Board of chiropractic examiners, state, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Board of examiners in the basic sciences, state, fees payable by applicants for examination of—
HB 393, pages 1109, 1346, 2083, 2113

Board of nursing and advisory council for practical nursing, creation of—
SB 210, pages 163, 543, 1487, 1561, 1866, 1927, 2133

Board of public accountancy, state, appointment and removal of members, fees charged by, and issuance and revocation of certificates—
SB 95, pages 26, 199, 350

Board of registration for foresters, state, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Board of registration for professional engineers and land surveyors, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Board of veterinary medical examiners, state, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Butler County, licensing and regulation of barbers—
HB 464, pages 392, 536, 600, 624

Counties 300,000 to 500,000 population, licensing and regulation of practice of cosmetology—
HB 1146, pages 1380, 1579

Dentists and dental hygienists, fee for annual registration of—
SB 193, pages 136, 201
HB 427, pages 1191, 1354

Entomologists, pathologists, horticulturists, floriculturists, and tree surgeons, licensing and regulation of—
SB 430, page 620

Etowah County, compensation of members of barbers' commission—
HB 74, pages 141, 239, 289, 457

Healing arts, exemptions from licensing of practice of—
SB 64, pages 21, 200, 245, 1872, 1927, 2133

Licensing board for general contractors, state, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Medical examiners, state board of, authority of—
HB 56, pages 1443, 1556, 1953, 1977

PROFESSIONS AND OCCUPATIONS (Continued)

- Medicine, chemistry, and other professions, privilege license tax on persons engaged in practice of—
HB 740, pages 1148, 1557
- Nursing, schools of, accreditation of—
HB 619, pages 1237, 1557
SB 119, pages 50, 201, 1487, 1822, 1837, 1960
- Optometry, regulating practice of—
HB 205, pages 554, 677, 909, 1020
- Pharmacy, state board of, created—
SB 579, page 1145
- Physicians teaching in medical colleges, issuance of certificates of qualification to—
HB 5, page 635
SB 66, pages 66, 201, 246, 1870, 1927, 2133
- State board of physical therapy, created—
HB 8, pages 793, 901, 1515, 1651, 1793
SB 78, page 24

PROPERTY

- See also: AD VALOREM TAX; REAL PROPERTY; TAXATION
- Contracts, use tax levied on personal property used in performance of—
SB 382, pages 479, 918
- Fraudulently obtaining money or goods on credit, penalty for—
SB 35, pages 15, 366, 1483, 1875, 1896, 2132
- Minors, recovery of damages from parents upon destruction of property by—
HB 377, pages 798, 1030, 2091
- Probate court, regulating partition proceedings in—
HB 134, pages 1225, 1343
- Uniform commercial code, adoption of—
SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, (714), 1863, 1873, 1916
- Warehouses, licensed, exemption of certain agricultural products stored in—
HB 360, pages 636, 885, 1478, 1577

PROPERTY AND CONVEYANCES

- Probate court, regulating partition proceedings in—
HB 134, pages 1225, 1343

PSILOCYBIN

- Control of—
HB 1081, pages 1443, 1557

PSYCOTOMIMETICS

- Control of—
HB 1081, pages 1443, 1557

PUBLIC ACCOMMODATIONS

Blind persons, authorized to be accompanied by seeing eye dog—
SB 589, page 1250

PUBLIC ACCOUNTANTS

State board of public accountancy, size, appointment and removal of members, fees, charged applicants, and issuance of certificates—
HB 158, pages 194, 267, 350, 457

PUBLIC ACCOUNTS, STATE DEPARTMENT OF

Assistant chief examiner, compensation of—
HB 366, pages 1444, 1799

PUBLIC HEALTH

Alabama dental service corporation act, enactment of—
HB 307, pages 1747, 1803
SB 236, pages 220, 266

Alabama milk control board, appropriation—
HB 390, pages 1021, 1347, 2011, 2103, 2128
SB 157, page 80

Alabama special mental health fund, amount of tax on alcoholic beverages credited to—
HB 1141, pages 1739, 1802, 2083, 2114

Amphetamines, penalties for violation of laws regulating sale or possession of—
HB 294, pages 799, 1557

Barbiturates, penalty for violation of laws relating to—
HB 289, page 793

Board of examiners in the basic sciences, state, fees, payable by applicants for examination by—
HB 393, pages 1109, 1346, 2083, 2113

Board of health, state, appointment and qualifications of members of advisory council for—
SB 507, pages 915, 974, 1074, 1877, 1927, 2133

Board of nurses' examiners and registration, state, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Board of nursing and advisory council for practical nursing, creation of—
SB 210, pages 163, 543, 1487, 1561, 1866, 1927, 2133

Commission on education with respect to alcoholism, appropriation to, and deposit of fees collected by—
SB 510, pages 924, 1348

Dental scholarship-loan and awards program, establishment of—
HB 586, pages 1111, 1349, 1818, 1957
SB 235, pages 220, 266

Healing arts, exemptions from licensing of practice of—
SB 64, pages 21, 200, 245, 1872, 1927, 2133

Healing arts, providing for qualifications and examination of persons to engage in practice of—
HB 701, pages 1746, 1798

PUBLIC HEALTH (Continued)

- Homes operated by fraternal organizations and hospitals accepting only indigent patients, licensing of—
SB 285, pages 263
HB 702, pages 633, 1032, 2091
- Honeybees, control and prevention of diseases of—
HB 653, pages 795, 974, 1808, 1958
- Hospitals, sanatoria, rest homes, nursing homes, and related institutions, regulating through licensure—
HB 702, pages 633, 1032, 2091
- Lysergic acid diethylamide, psilocybin, or psycotomimetics, control of—
HB 1081, pages 1443, 1557
- Marriage license, eliminating requirement for permanent attachment of pre-nuptial certificate to—
SB 492, pages 838, 1342
HB 1075, pages 1739, 1798, 1952, 1977
- Meat and meat products, imported, regulating sale of—
SB 3, pages 6, 675
- Mental retardation facilities, construction and operation of—
SB 555, pages 1024, 1353
- Milk control board, compensation and appointment of members, appointment of employees, and records required to be kept by licensees—
HB 912, pages 1156, 1352, 1562, 1649
- Nurses, professional and practical, licensing and regulation of—
SB 210, pages 163, 543, 1487, 1561, 1866, 1927, 2133
- Pecans, regulating sale of—
HB 417 pages 1670, 1693, 2099, 2130
SB 88, pages 26, 242
- Pharmacy, state board of, created—
SB 579, page 1145
- Phenylketonuria, testing and treatment of newborn infants for—
HB 10, pages 264, 677
SB 9, pages 7, 200, 351, 2001, 2093, 2134
- Physicians teaching in medical colleges, issuance of certificates of qualification to—
HB 5, page 635
SB 66, pages 66, 201, 246, 1870, 1927, 2133
- Sanitarians, qualifications and registration of, and use of funds derived from certificates of registration for—
SB 187, page 135
- Sewage from watercraft, regulating discharge of—
HB 816, pages 1745, 1798, 1988
- Southern regional education board, appropriation to commission on mental illness—
HB 396, pages 1110, 1346, 2080, 2113
SB 162, page 81
- State board of examiners in the basic sciences, fees payable by applicants—
SB 167, page 81

PUBLIC HEALTH (Continued)

State board of health and state committee of public health, quorum for action by—
HB 5, pages 1443, 1556, 1952, 1977

State board of physical therapy, created—
HB 8, pages 793, 901, 1515, 1651, 1793
SB 78, page 24

State health officer and other professional employees, compensation—
HB 53, pages 579, 677, 1563, 1649

Tubercular patients, per diem allowance for treatment of—
SB 463, pages 691, 886, 1022, 1467, 1471, 1680

Water authorities, power of state board of health to approve source of water furnished by—
SB 118, page 50

PUBLIC IMPROVEMENT AUTHORITIES

Contract for sale or merger of assets and facilities of, providing for election to approve—
HB 1002, pages 1117, 1191, 1691, 1730, 1879
SB 591, pages 1051, 1464, 1677, 1985, 2095, 2134
HB 1248, pages 1740, 1799

PUBLIC LIBRARY SERVICE, STATE

See: ALABAMA PUBLIC LIBRARY SERVICE

PUBLIC SAFETY, STATE DEPARTMENT OF

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Appropriation, capital outlay—
HB 1027, pages 1232, 1351

Appropriation, supplemental—
HB 400, pages 553, 887, 1134, 1219, 1266, 1367
SB 156, pages 80, 265, 1582

Drivers' licenses, regulating suspension of—
HB 841, pages 1217, 1552

Drivers' licenses, suspension or revocation of—
SB 357, pages 440, 677

Justice of the peace, report of person convicted of offense causing disqualification for voting—
SB 485, pages 838, 973

Motor vehicle license tags, regulating transfer of—
SB 231, pages 219, 544

"Motor Vehicle Safety-Responsibility Act," giving and maintaining proof of financial responsibility under—
SB 11, page 7

"Motor Vehicle Safety-Responsibility Act," payments sufficient to satisfy requirements of—
HB 356, pages 1443, 1551, 1810, 1823, 1892

PUBLIC SAFETY, STATE DEPARTMENT OF (Continued)

"Motor Vehicle Safety-Responsibility Act," security required, suspension of licenses, and registration under—
HB 355, pages 1443, 1552, 1809, 1823, 1892

Motor vehicles, defining lights permissible on—
HB 446, pages 1233, 1342, 1951, 1988, 2100

Motor vehicles, limiting size and weight of, and providing exemptions therefrom—
HB 824, pages 1149, 1344

Motor vehicles, placement of tail lamps on—
HB 431, page 1149

Motor vehicles, regulating length of—
HB 584, pages 1745, 1804, 2115, 2130

Motor vehicles, trailers, semi-trailers, pole trailers, and mobile homes, requiring inspection of—
SB 172, pages 82, 1465

Motorcycles and motorbikes, requiring operator and riders to wear protective helmets—
HB 601, page 1377

Peace officers, penalty for false personation of—
HB 295, pages 794

"Vehicle Equipment Safety Compact," adoption of—
HB 642, pages 1233, 1343

Vehicles, oversized, issuance of permits for movement of—
SB 115, page 45

PUBLIC SERVICE COMMISSION

See: ALABAMA PUBLIC SERVICE COMMISSION; public utilities; name of specific public utility

PUBLIC UTILITIES

Alabama public service commission, appointment and qualification of employees of—
HB 579, pages 1149, 1805

Alabama public service commission, appointment of railroad and sanitation inspector—
SB 28, page 13

Alabama public service commission, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2123
SB 157, page 80

Alabama public service commission, meetings and record of proceedings of—
HB 580, pages 1748, 1799

Alabama public service commission, time limitation for making of decisions by—
HB 581, pages 1748, 1799

Butler County, requiring installation of warning devices at railroad grade crossings—
SB 27, pages 12, 234, 272, 1520, 1569, 1680

PUBLIC UTILITIES (Continued)

- Common and contract carriers, regulating leasing of motor vehicles by and to—
SB 392, page 480
- Conecuh County, requiring installation of warning devices at railroad grade crossings—
SB 26, pages 10, 234, 271, 1521, 1569, 1680
- Electric utility companies, prohibited from charging fees for connecting or disconnecting certain equipment—
SB 31, page 14
- Employees operating locomotives, trains, and yard engines, qualifications of—
SB 370, page 474
- Gas districts, issuance of refunding bonds—
HB 125, pages 1669, 1693, 1814, 1956
- Gas utility companies, prohibited from charging fees for connecting or disconnecting certain equipment—
SB 32, page 14
- Liquefied petroleum gas board created in lieu of liquified petroleum gas commission—
HB 162, pages 579, 671, 903, 1197
SB 43, pages 16, 264, 976
- Public improvement authorities, providing for election to approve contract for sale or merger of assets and facilities—
SB 591, pages 1051, 1464, 1677, 1985, 2094, 2134
HB 1248, pages 1740, 1799
HB 1002, pages 1117, 1191, 1691, 1730, 1879
- Railroad caboose cars, requiring water supply, safety glass, and electric lights in—
SB 371, page 474
- Telephone companies, charging of fees for transfer of service from one customer to another—
SB 29, page 13
- Water utility companies, prohibited from charging fees for connecting or disconnecting certain equipment—
SB 30, page 14

PUBLIC WELFARE, STATE DEPARTMENT OF

See: PENSIONS AND SECURITY, STATE DEPARTMENT OF

PUBLIC WORKS

- Purchase of certain machinery and equipment used for, giving preference to licensed retail vendors—
HB 380, page 1746

PUBLICATIONS

- Obscene, regulating traffic in—
SB 320, page 313

PUBLICITY AND INFORMATION, STATE BUREAU OF

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Tourist welcome centers, operation of—

HB 1202, page 1390
SB 569, pages 1079, 1349

PURCHASING

Counties purchasing from the state, not requiring competitive bids—
SB 479, pages 833, 1195

Highway department, state, regulated—

HB 379, pages 794, 1034, 1781, 1882
SB 91, pages 26, 885

Marshall County, regulated—

HB 934, pages 848, 1035, 1402, 1540, 1578

Public works, preference of licensed retail vendors of certain machinery and equipment used for—

HB 380, page 1746

PURCHASING, STATE

Exemptions from requirement for competitive bids—

HB 807, page 1745
SB 359, pages 442, 543

RADIO STATIONS

Legal notices, supplemental method for publication of—

SB 178, pages 131, 268

RAILROADS

Alabama public service commission, appointment and compensation of railroad and sanitation inspector—
SB 28, page 13

Butler County, requiring installation of warning device at grade crossings—

SB 27, pages 12, 234, 272, 1520, 1569, 1680

Caboose cars, requiring water supply, safety glass, and electric lights in—

SB 371, page 474

Conecuh County, requiring installation of warning device at grade crossings—

SB 26, pages 10, 234, 271, 1521, 1569, 1680

Covington County, installation of warning devices at grade crossings—

SB 404, pages 485, 1195, 1567

Employees operating locomotives, trains, and yard engines, qualifications of—

SB 370, page 474

Right of way, penalty for throwing lighted material on—

SB 87, pages 25, 40, 256, 1518

RAINBOW CITY, TOWN OF

Boundaries altered—

HB 64, pages 139, 239, 289, 456

HB 756, pages 786, 822, 1005, 1200

RAINWATER, E. A.

Mourning death of—

HJR 186, pages 2000, 2102

RALPH BROWN DRAUGHON LIBRARY

Designation of—

HJR 11, pages 98, 158

RANDOLPH COUNTY

Branch banks, authorized—

HB 1156, pages 1369, 1504, 1617, 1791

Commissioners' districts, composition of—

HB 530, pages 407, 968, 1057, 1209

Court of county commissioners, duties, compensation, and expense allowance of members—

HB 785, pages 638, 969, 1059, 1210

Court of county commissioners, election of members by district—

HB 529, pages 406, 968, 1056, 1211

Judge of probate and circuit clerk, compensation of clerks—

HB 946, pages 927, 1035, 1585, 1786

Roanoke, city of, boundaries altered—

HB 565, page 527

SB 315, pages 309, 371, 450, 614, 619, 685

Sheriff, compensation of additional deputy—

HB 948, pages 926, 1035, 1936

Sheriff, compensation of jailer—

HB 947, pages 925, 1035, 1843, 1959

Tax collector, sending of notices to taxpayers of taxes due—

SB 372, pages 475, 698, 739, 1154, 1218, 1450

RAZORS

Straight razor, penalty for carrying—

HB 269, page 793

REAL ESTATE

See: ALABAMA REAL ESTATE COMMISSION; PROPERTY; REAL PROPERTY; REAL ESTATE COMMISSION SPECIAL EDUCATION AND SCHOLARSHIP FUND

Creation of—

SB 534, pages 960, 1348

REAL PROPERTY

See also: PROPERTY

Assessed property valuations among the counties, providing for equalization of—

SB 440, page 621

REAL PROPERTY (Continued)

Assessment of property for taxation, regulated—
SB 246, page 222

Bibb County, compensation of members of board of equalization—
SB 612, pages 1569, 1697

Board of equalization, appointment of members—
SB 441, page 621

Board of equalization, expenses of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Board of equalization, term of service and compensation of members—
SB 442, page 622

Counties 21,850 to 21,950 population, compensation of members of board of equalization—
HB 543, pages 400, 543, 614, 817

Counties 25,500 to 25,700 population, expense allowance for members of board of equalization—
HB 1214, pages 1522, 1695, 1848, 1960

Counties 31,500 to 33,500 population, expense allowance for members of board of equalization—
HB 1210, pages 1379, 1505, 1619, 1729, 1879

Counties 38,000 to 45,000 population, compensation of members of board of equalization—
SB 460, pages 691, 826, 1016, 1366, 1429, 1679

Counties 76,000 to 96,000 population, redemption of land sold for ad Valorem taxes—
HB 904, pages 844, 971, 1066, 1205

Counties 100,000 to 115,000 population, compensation of members of board of equalization—
HB 532, page 384

Counties 300,000 to 600,000 population, determination of ratio percentages used in establishing assessed values from appraised values of property—
HB 1015, pages 1371, 1512, 1640, 1884
SB 509, pages 923, 1036, 1410

Counties 600,000 population or more, redemption of land sold for taxes—
SB 303, pages 304, 368, 567

Cullman County, expense allowance for members of board of equalization—
HB 1113, pages 1303, 1508, 1625, 1886
SB 471, pages 814, 965, 1048

Escambia County, compensation of members of board of equalization—
HB 991, pages 1095, 1192, 1633, 1883

Field notes of original surveys of, acquisition by county governing bodies—
HB 315, pages 358, 885

REAL PROPERTY (Continued)

Grants and patents issued by the state, recordation of—
HB 317, pages 580, 669

Partition proceedings, service of process on certain parties—
HB 305, pages 1225, 1343

Probate court, regulating partition proceedings in—
HB 134, pages 1225, 1343

Purchasers, lien holders, or mortgagee of, payment of portion of ad
valorem tax on—
SB 70, pages 23, 1342

State-owned lands, ascertainment of fair market value prior to sale
of—
HB 131, pages 507, 1560

Tax sales, appropriation for advertising lands for—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Time limitation in which to exercise right of redemption—
SB 266, page 260
SB 349, pages 428, 669
HB 573, pages 1080, 1342

Uniform vendor and purchaser risk act, adoption of—
HB 58, pages 1377, 1798

Walker County, action of ejectment to recover real property by
purchaser—
SB 598, pages 1261, 1506, 1572, 1967, 2092, 2134

Washington County, expense allowance for members of board of
equalization—
HB 186, pages 193, 237, 283, 458

Water management districts, organization of—
SB 364, pages 472, 670, 903, 1865, 1928, 2133

Water management districts, organization of, CA—
SB 365, pages 472, 670, 904, 1877, 1926, 2133

REAPPORTIONMENT

Committee created to study, continued—
HJR 196, page 2118

Legislature—
HJR 148, pages 1675, 1881

Legislature, CA—
SB 496, pages 894, 919, 2134

Senate—
SB 498, pages 894, 1030

Senate, CA—
HB 24, pages 1737, 1797
SB 496, pages 894, 919, 2134

RECORDERS

Cities 200,000 to 300,000 population, selection, duties, qualifications, and compensation of judge and officers of—
SB 602, pages 1264, 1511, 1639

Cities 350,000 population or more, power to require appeal bond in certain cases—
HB 1183, pages 1442, 1501, 1612, 1790

Counties 160,000 to 250,000 population, compensation of recorder and prosecuting attorney of recorders court of cities within—
SB 282, pages 262, 321, 448

Morgan County, city of Decatur, power and authority of recorder—
HB 1259, pages 1656, 1695, 1847, 1964

Solicitor's fees on appeals of judgements rendered in recorder's court, assessment of—
HB 85, pages 793, 920, 1468, 1576
SB 53, pages 18, 241, 1469

Temporary, alternate method of appointing—
HB 654, page 1232
SB 191, pages 136, 242

RECORDERS COURT

Mobile County, city of Mobile, name changed to "The City Court of Mobile, Alabama"
HB 723, pages 766, 823, 1008

RECREATION

Industrial development by counties, recreational and pleasure resorts—
SB 140, pages 66, 241

Industrial development by municipalities, recreational and pleasure resorts—
SB 139, pages 66, 241

Pesticide residues, harmful, protection of users from—
HB 1006, pages 1741, 1798
SB 433, page 620

REDISTRICTING

Congressional districts, dividing the state into—
SB 6, page 6
SB 112, page 40
SB 208, pages 163, 367, 681, 719, 806, 817, 826, 829, 894, 1485, 1486, 1519, 1700, 1701, 1702, 1915

REEVES, PEARL RAMAGE

Mourning death of—
HJR 170, pages 1823, 1965

REGISTER, CIRCUIT COURT

Autauga County, payment of premium on bond of—
HB 1088, pages 1310, 1504, 1617, 1790

Baldwin County, compensation and clerical assistance—
HB 1090, pages 1743, 1801, 1971, 1999, 2101

REGISTER, CIRCUIT COURT (Continued)

- Baldwin County, compensation and clerical assistance, CA—
HB 708, pages 552, 718, 994, 1202
- Chambers County, compensation—
HB 909, pages 854, 966, 1051, 1213
- Cherokee County, compensation—
HB 1035, pages 1166, 1360, 1631, 1885
- Counties 21,000 to 21,850 population, clerical assistance—
HB 1066, pages 1182, 1307, 1559, 1689, 1886
- Counties 25,400 to 25,675 population, compensation of clerk—
SB 543, pages 963, 1130, 1414, 1820, 1837, 1916
HB 1158, pages 1286, 1508, 1627, 1887
- Counties 57,000 to 61,000 population, microfilming of records in office of—
HB 944, pages 877, 1037, 1413, 1577
- Counties 76,000 to 96,000 population, clerical assistance for—
HB 905, pages 844, 971, 1065, 1205
- Counties 110,000 to 160,000 population, compensation of deputy register and bailiff of family court divisions of—
HB 517, pages 380, 542, 725, 978
SB 192, pages 136, 235, 274, 550, 569, 617
- Counties 225,000 to 500,000 population, appointment and compensation of deputy register—
SB 188, pages 136, 964, 1042, 1991, 2093, 2134
SB 556, pages 1025, 1131, 1419, 1989, 2094, 2134
- Counties 600,000 population or more, destruction of certain records—
HB 1054, pages 1184, 1358, 1593, 1789
- Counties 600,000 population or more, microfilming of certain documents—
HB 1055, pages 1184, 1359, 1594, 1787
- Dallas County, compensation—
SB 396, pages 480, 674, 725, 1155, 1218, 1265, 1447, 1450, 1452, 1680
- Funds held by, investment of—
SB 71, page 23
- Greene County, compensation and clerical assistance—
HB 762, page 649
SB 329, pages 315, 534, 596, 1367, 1430, 1680
- Greene County, compensation and clerical assistance, CA—
HB 268, page 178
- Lauderdale County, compensation and clerical assistance—
HB 455, pages 341, 373, 594, 616
- Lauderdale County, compensation and clerical assistance, CA—
HB 454, pages 339, 373, 594, 616
- Limestone County, compensation of additional clerk—
HB 650, pages 493, 823, 1008, 1207
- Marshall County, abolition of branch office at Albertville—
HB 1142, pages 1276, 1553, 1686

REGISTER, CIRCUIT COURT (Continued)

- Marshall County, expense allowance—
HB 519, pages 380, 542, 611, 944
- Shelby County, compensation and clerical assistance—
HB 333, pages 182, 238, 286, 487, 489
- Shelby County, compensation and clerical assistance, CA—
HB 332, pages 182, 238, 285, 459
- Walker County, clerical assistance—
HB 743, pages 562, 702, 1041, 1213
- Winston County, filling vacancy in office of—
HB 195, pages 123, 699, 984, 1200

REGISTRATION OF VOTERS

See also: BOARD OF REGISTRARS; VOTERS

- Autauga County, office space, supplies, and equipment for the board of registrars—
HB 1087, pages 1308, 1504, 1617, 1790
- Board of registrars, appointment of—
SB 34, pages 355, 1353
- Board of registrars, compensation of members—
HB 79, pages 1151, 1803
SB 134, pages 65, 676
SB 288, page 263
- Board of registrars, lieutenant governor designated as members of board of appointment for—
SB 46, pages 17, 126, 1518, 1734
- Board of registrars, meeting times and places for—
SB 486, pages 838, 973
- Board of registrars, office space, supplies, equipment, and clerical assistance for—
SB 98, pages 27, 676, 1514, 2000, 2093, 2134
HB 118, pages 1082, 1558
- Coffee County, board of registrars relieved of duty of visiting precincts—
SB 578, pages 1144, 1357, 1571, 1878, 1927, 2133
- Counties 17,400 to 17,800 population, board of registrars relieved of duty of visiting precincts—
HB 1211, pages 1390, 1504, 1682, 1936
- Counties 22,350 to 24,500 population, meeting places of board of registrars—
HB 1150, pages 1281, 1499, 1610, 1788
- Counties 27,000 to 30,000 population, expense allowance for members of board of registrars—
HB 1162, pages 1378, 1507, 1634, 1887
SB 547, pages 1023, 1131, 1416
- Counties 48,200 to 49,200 population, meeting days and compensation of members of board of registrars—
HB 1163, pages 1378, 1512, 1640, 1887

REGISTRATION OF VOTERS (Continued)

Counties 57,000 to 61,000 population, meeting days of board of registrars—

HB 736, pages 554, 823, 1008, 1207

Counties 100,000 to 115,000 population, per diem allowance for members of board of registrars—

HB 418, pages 325, 373, 976, 1196

Counties 110,000 to 160,000 population, compensation of members of board of registrars—

HB 1207, pages 1380, 1510, 1636, 1890

Counties 500,000 population or more, compensation of members of board of registrars—

HB 487, pages 413, 539, 603, 625

SB 309, pages 307, 370, 608

Cullman County, expense allowance for members of board of registrars—

HB 1112, pages 1302, 1508, 1626, 1886

SB 470, pages 813, 965, 1048

Electors, qualifications of—

HB 968, pages 1311, 1695

Escambia County, compensation of members of board of registrars—

HB 992, pages 1096, 1192, 1633, 1885

Geneva County, compensation of members of board of registrars—

HB 927, pages 927, 971, 1064, 1205

Jackson County, reidentification of voters—

SB 607, pages 1455, 1552, 1684, 1967, 2092, 2134

Lowndes County, times and places for—

HB 560, pages 527, 675, 727, 941

Macon County, per diem allowance for members of—

HB 1008, pages 1101, 1195, 1425, 1578

Persons eighteen or over qualified to register and vote—

SB 241, page 221

Persons eighteen or over qualified to register and vote, CA—

SB 240, page 221

Voters, literacy tests required for registration of—

SB 476, pages 831, 934

Washington County, expense allowance for members of board of registrars—

HB 185, pages 116, 237, 283, 458

Washington County, purging of registration list—

HB 182, pages 113, 237, 282, 457

REID, ED E.

Mourning death of—

SJR 47, pages 963, 1119, 1133, 1243

HJR 146, pages 1673, 1881

REIDENTIFICATION OF VOTERS

Butler County, removing date for reidentification of—
HB 241, pages 169, 237, 284, 458

Counties 48,020 to 49,750 population, provided for—
HB 884, pages 767, 972, 1067, 1204

Escambia County, provided for—
HB 1241, pages 1665, 1696, 1849, 1963

Jackson County, provided for—
SB 607, pages 1455, 1552, 1684, 1967, 2092, 2134

RELIEF ACTS LOCAL

Coffee County, D. B. Adkinson—
HB 1238, pages 1661, 1697, 1851, 1962

Coffee County, John Carlon Reynolds—
HB 977, pages 929, 971, 1067, 1206

DeKalb County, Richard Smith Adkins—
SB 143, pages 69, 127, 247, 627, 678, 716

Houston County, City of Dothan, Hugh D. Johnston—
HB 480, pages 398, 536, 602, 625

Houston County, City of Dothan, W. Ben Word—
HB 481, pages 398, 537, 603, 625

Jefferson County, James W. Lloyd—
HB 773, pages 641, 696, 736, 940

Marengo County, Buford Cobb—
SB 319, pages 319, 371, 451, 614, 619, 685

Marion County, L. C. Wilson—
HB 298, pages 181, 1558, 1687, 1882

Marshall County, Bobby Joe King
HB 1011, pages 1103, 1192, 1420, 1578

Marshall County, Elmer Henry
SB 378, pages 477, 718, 992, 1311, 1368, 1451

Marshall County, Ray Stone—
HB 1010, pages 1102, 1192, 1420, 1578

Mobile County, Mrs. Emma J. Bray—
HB 1231, pages 1533, 1695, 1850, 1974
SB 581, pages 1145, 1357, 1589, 1821, 1838, 1916

Tuscaloosa County, Harvey Spencer—
HB 533, pages 630, 718, 993, 1198

Tuscaloosa County, Stancil L. Beams—
HB 1024, pages 1118, 1506, 1622, 1792

Winston County, T. A. Baldy—
HB 1225, pages 1528, 1698, 1856, 1962

RELIEF ACTS, STATE

Campbell, James L.
HB 9, pages 1233, 1347, 1646, 1882

Wesson, Wilburn Frank—
HB 438, pages 490, 672, 1815, 1957

RESCUE SQUADS

Volunteer, exempting from licensing and registration certain motor vehicles used by—
HB 11, pages 1152, 1347

RESOLUTIONS

Alabama commission on interstate cooperation, attendance of members at regional conference of council of state governments—
HJR 20, pages 104, 268, 460

Alabama institute for deaf and blind, designation of "Carrie Henderson Hall"—
HJR 119, pages 1324, 1547

"Albert P. Brewer Library Building" at Tennessee valley junior college, designation of—
SJR 74, pages 1288, 2116, 2123, 2135

Allen, lieutenant governor James B., commended—
SR 63, page 1806

Alexander, Cheryl, commended—
HJR 180, pages 1996, 2102

Almon, Robert Lee, mourning death of—
HJR 151, pages 1711, 1881

"American History Month," designation of—
HJR 134, pages 1321, 2122, 2132

Anderson, Clyde W., mourning death of—
HJR 128, pages 1324, 1547
SJR 50, page 1134

Andrews, Lawrence K., wishing speedy recovery of—
SR 3, page 47

Andrews, Mrs. Walter Weld, extending congratulations to—
HJR 21, pages 152, 268, 461

Auburn university, designation of "Caroline Draughon Village"—
HJR 13, pages 97, 158, 564, 615

Auburn university, designation of "Ralph Brown Draughon Library"—
HJR 11, pages 98, 158

Auburn university, designation of "Roy B. Sewell Dormitory"—
HJR 14, pages 97, 158

Beasley, Mary Hearn, congratulated on being selected as "Alabama Poultry Queen"—
SJR 19, page 214

"Berta Catherine Dunn Dormitory," designation of—
HJR 75, pages 531, 615

Branyon, Arthur Curtis, mourning death of—
HJR 136, pages 1266, 1547
SJR 54, pages 1363, 1540, 1568, 1680

Brewer, speaker Albert, requested to explain his position on the "Liberty Amendment" and the recently published "Manion Forum"—
SR 7, page 55

RESOLUTIONS (Continued)

Browne, doctor Jean Clark, mourning death of—
SJR 58, pages 1561, 1675, 1704, 1915

Building commission, state, election of members of—
SR 14, page 154

Bulkeley, admiral John D., commended—
SR 55, page 1418

Choctaw County hospital board members and other personnel, commended—
SJR 53, pages 1362, 1539, 1568, 1680

Collins, representative Clara Stone Fields, appointed delegate to convention of order of women legislators—
HJR 139, pages 1390, 1546

Commissioner of education, United States, protesting threat to withhold funds from public schools—
SJR 1, pages 28, 30, 31, 32, 38, 41, 43, 46, 47, 51, 56, 59, 138, 159, 425

Communication services, congress requested to repeal federal excise tax on—
HJR 19, pages 103, 268, 460

Congress requested to amend social security law to provide more equitable settlement of claims under—
HJR 142, page 1545

Congress requested to propose an amendment repealing the income tax and prohibiting the federal government from engaging in commercial enterprises, CA—
HJR 97, pages 1708, 1932, 1934, 1935, 2073

Congressional delegation requested to oppose enactment of bill curtailing right of citizens to bear arms—
HJR 56, page 361

Conner, Joseph A., commended—
HJR 135, pages 1322, 1547

Constitutional amendments proposed at 1965 special session, date for holding election on—
HJR 16, pages 101, 344, 462, 487

Corps of engineers, United States, commended—
SJR 2, pages 40, 138, 159, 425

Cotton acreage release and transfer program, Alabama congressional delegation requested to defeat legislation tampering with—
SJR 33, pages 374, 452, 488, 566

Cotton, continuing committee created to study production and processing of—
HJR 4, pages 29, 63, 153

Declaring the existence of menace to law and order in the state—
SJR 56, page 1466

Designating Act No. 274 of the 1965 Special Session as "The Tom Beville Act"—
HJR 62, pages 365, 461

RESOLUTIONS (Continued)

Designating Senate Bill 9 as "The Merrill-Carter and Cooper (Macon) Bill"—

HJR 193, pages 2107, 2132

Designating Senate Bill 10 as "The Carter-Steagall-Hain-Etheredge and Albea Bill"—

HJR 183, pages 2001, 2102

Designating Senate Bill 14 as the "Nichols-Sullivan Bill"—

HJR 157, pages 1732, 1881

Designating Senate Bill 68 as "The Lolley-Nichols and Nabors Bill"—

SJR 52, pages 1362, 1540, 1568, 1680

Designating Senate Bill 99 as "The Metcalf-Givhan-Brannan-Allen-Nichols and Drake Bill"—

HJR 175, pages 2003, 2101

Designating Senate Bill 216 as "The Dumas-Pierce Bill"—

SJR 71, pages 1933, 1978, 2095, 2134

Designating Senate Bill 363, as "The Carter-Nichols-Cates and Engel Bill"—

HJR 184, pages 2001, 2102

Designating Senate Bill 365 as "The Carter-Nichols-Cates and Engel Bill"—

HJR 185, pages 2001, 2102

Designating House Bill 144, as "The Van Buren Daniel Bill"—

HJR 176, pages 2003, 2101

Designating House Bill 312, as "The Goodwyn-Turnham-Bevill-Pierce-Little-Turner (Crenshaw) and Powell Bill"—

HJR 167, pages 1825, 1965

Designating House Bill 493 as "The Dominick Bill"—

HJR 188, pages 2002, 2102

Docks, harbors, and seaports, Alabama port authority authorized to issue bonds for development and operation of—

SJR 51, pages 1220, 1355

Drinkard, William H., mourning death of—

HJR 149, pages 1710, 1881

Duran, Orville David, mourning death of—

HJR 93, pages 666, 938

"East Walker County High School," designation of—

SJR 27, page 257

Eclectic, town, of, Jaycees commended—

HJR 182, pages 2002, 2102

"Ed E. Reid Trade School," designation of—

HJR 137, pages 1340, 1547

Educational institutions, creating committee on—

SJR 65, pages 1865, 1933, 2111, 2123, 2135

Ellis, judge Thomas Talbot, mourning death of—

HJR 25, pages 197, 460

RESOLUTIONS (Continued)

Farmer's Day, expressing appreciation for lunch given legislature on—
SR 8, page 56

Federal courts requested to regulate demonstrations by judicial decree—
HJR 161, pages 1796, 1965

Fies, doctor Milton, expressing appreciation to—
HJR 124, page 1123, 1241

Firearms, congress memorialized to limit legislation on—
HJR 118, pages 1120, 1270

Fitts, William Henry, commended—
HJR 103, pages 802, 946

Folsom, Linda, commended on being selected "Miss Alabama"—
SJR 57, page 1482
HJR 143, pages 1544, 1650

Future Homemakers of America and Carol Pool, commended—
HJR 162, pages 1828, 1965

"The General Stringer High School," designation of—
HJR 61, pages 364, 461

"George C. Wallace Building" at Bay Minette junior college, designation of—
HJR 165, pages 1829, 1965

"George C. Wallace Building" at southern union college, designation of—
SJR 73, pages 1934, 1978, 2095, 2134

"George C. Wallace Hall" at Enterprise junior college, designation of—
SJR 67, pages 1931, 1978, 2095, 2134

"George C. Wallace Hall" at Gadsden junior college, designation of—
HJR 173, pages 1995, 2096, 2129

"George C. Wallace Hall" at northeast state junior college, designation of—
SJR 69, pages 1932, 1978, 2095, 2134

"George C. Wallace Highway," designation of—
SJR 59, page 1561

Governor notified that legislature is in session—
HJR 2, page 4

Gowan, doctor A. M., mourning death of—
HJR 141, pages 1540, 1650

Graham, doctor Billy, expressing appreciation to—
HJR 69, pages 437, 489

Graham, doctor Billy, invited to address legislature—
SJR 17, page 201

"The Granville Turner Library," designation of—
HJR 198, pages 2117, 2132

RESOLUTIONS (Continued)

- Grimley, K. W., commended—
SJR 20, page 215
- Gulf States Paper Corporation, recognizing contributions made by—
SJR 18, pages 202, 1579, 1648, 1680
- Harper, Will M., mourning death of—
HJR 92, pages 667, 938
SJR 38, pages 608, 1118, 1133, 1243
- Harrison, doctor Tinsley R., commended—
SJR 49, pages 980, 1120, 1133, 1243
- Harrison, doctor Tinsley, regretting illness of—
HJR 194, pages 2106, 2132
- Harwell, Frank, Talladega city board of education requested to name auditorium after—
SJR 12, pages 71, 138, 159, 425
- Hearn, Mrs. Oneida Wells, mourning death of—
SJR 70, pages 1932, 1978, 2095, 2134
- Historical sites, creating legislative study and advisory committee for—
HJR 5, page 35
- Holiday Inn, East, commended for developing the "Tourist Cotton Patch"—
HJR 172, pages 1930, 2099
- Honeycutt, Johnnie Gail and John Henry, urging day of prayer for—
SJR 36, pages 544, 665, 703, 716
- Howle, William H., mourning death of—
HJR 154, pages 1732, 1881
- Huntsville, city of, expressing appreciation accorded members of legislature—
SJR 28, page 269
HJR 33, pages 277, 460
- "The Iola Roberts Elementary School," designation of—
HJR 158, pages 1795, 1965
- Inzer, Clarence, expressing appreciation to—
SR 32, page 373
- Jacksonville state college, designation of "Leston Crow Hall"—
HJR 90, pages 667, 937
- Javitts, senator Jacob, and senator Bobby Kennedy, requested to investigate why miss Gloria John did not receive title of Miss U. S. A.—
HJR 131, page 1321
- Jaycees commended for bringing National Blind Golfers' Tournament to Montgomery—
HJR 150, pages 1710, 1881
- Jefferson County tax commission, appointment of—
HJR 155, page 2126

RESOLUTIONS (Continued)

"The J. Emmett Wood Lake," designation of—
SJR 22, pages 243, 452, 487, 566

Jesse Earl Speight Mall, committee created to investigate feasibility
of constructing building on—
HJR 144, pages 1545, 1650

Jones, Bill, commended—
HJR 114, pages 1122, 1240

JONES, BURNIE EDWARD, mourning death of—
HJR 15, pages 101, 158
SJR 10, pages 62, 103, 137, 156

Jordan, John Hamilton, mourning death of—
SJR 35, pages 442, 530, 570, 617

Junior colleges, naming administration buildings in honor of gover-
nor George C. Wallace—
HJR 174, pages 2004, 2097, 2129

Keller, miss Helen, extending best wishes to—
HJR 77, pages 530, 615

Lefkovits, Norman, expressing appreciation to—
SR 32, page 373

Legislative council, election of members—
SR 14, page 154

Legislative reference service, expressing appreciation to staff of—
HJR 168, pages 1827, 1965

Legislature, adjournment of—
HJR 3, page 30
HJR 99, page 684
HJR 152, page 1728
SJR 21, page 215
SJR 25, page 254
SJR 42, page 683

Legislature, adjournment sine die—
SJR 75, pages 2090, 2115, 2123, 2135

Legislature, extending time for filing budget document with—
SR 5, page 51

Legislature, providing clerical assistance for checking journals—
HJR 173, pages 1978, 2101

Legislature, reapportionment of—
HJR 148, pages 1675, 1881

Legislature, secretary of senate and clerk of house relieved of
responsibility for codes, acts, journals, and other books fur-
nished members—
SJR 66, pages 1931, 1978, 2094, 2134

Leyburn, Boyd Harlan, expressing appreciation to—
HJR 67, pages 453, 487

Lindertis Elvuse, wishing speedy recovery of—
HJR 120, pages 1124, 1240

RESOLUTIONS (Continued)

- Little, colonel W. Tandy, extending congratulations to—
HJR 108, pages 1325, 1547
- Locke, Hugh A., commended—
HJR 26, pages 230, 460
- Lyons, doctor Champ, commended—
SJR 68, pages 1931, 1978, 2095, 2134
- “Mack M. Matthews School,” designation of—
HJR 177, pages 2003, 2101
- Madison County and city of Huntsville, economic development of,
CA—
SJR 48, pages 974, 1034, 1400, 1733, 1757, 1915
- Marion Military Institute, awarding of trophy to outstanding math-
ematics student in freshman class of—
SR 6, page 55
- Marshall, Benny, commended—
HJR 113, pages 882, 1198
- Masonic Day Celebration at Florala, extending congratulations on
ninety-fifth anniversary of—
HJR 37, pages 323, 460
- McCain, senator William C., wishing speedy recovery of son of—
SJR 41, pages 683, 1118, 1133, 1243
- McDivitt, James, and Edward H. White, II, commended—
HJR 38, pages 324, 460
- McDow, senator J. T., expressing appreciation to—
SR 32, page 373
- McMillan, Mrs. Ed Leigh, mourning death of—
HJR 91, pages 668, 937
- Mobile County legislative delegation and county commission, Mobile
area chamber of commerce, and Baldwin County chamber of
commerce, expressing appreciation to—
HJR 22, pages 151, 461
- Mobile negro policemen used to preserve order at Alabama state
college, commended—
HJR 59, pages 363, 461
- Moore, doctor A. B., governor and director of finance authorized to
deliver certain property to—
HJR 147, pages 1674, 1881
- Morgan, Earl, expressing appreciation to—
HJR 10, pages 37, 153
- National accelerator laboratory, expressing interest in establish-
ment of, in Alabama—
HJR 70, pages 453, 487
- National aeronautics and space administration, expressing apprecia-
tion to—
HJR 33, pages 277, 460

RESOLUTIONS (Continued)

National guard, opposing move to combine with U. S. army reserves—
HJR 12, page 99
SJR 13, page 71

Novak, Mrs. Tony, commended—
HJR 101, pages 803, 946

"The O. D. Duran Junior High School," designation of—
HJR 159, pages 1795, 1965

Opposing ratification of Soviet Consular Treaty—
HJR 197, pages 2117, 2132

Partlow, doctor Rufus Cornelius, extending best wishes to—
HJR 34, pages 277, 460

Persons, governor Gordon, mourning death of—
SJR 23, pages 244, 263, 298, 425

Phillips, Hunter, commended—
SR 72, page 1933

Philpott, doctor Harry M., extending welcome to—
SJR 11, pages 63, 103, 137, 156

Pollution of rivers and streams, deploring—
HJR 166, page 1826

Public accounts, election of legislative committee on—
SR 14, page 154

Rainwater, E. A., mourning death of—
HJR 186, pages 2000, 2102

Reapportionment, extending committee created to study—
HJR 196, page 2118

Reeves, Pearl Ramage, mourning death of—
HJR 170, page 1823, 1965

Reid, Ed E., mourning death of—
SJR 47, pages 963, 1119, 1133, 1243
HJR 146, pages 1673, 1881

Reynolds, Cheryl, commended—
SJR 44, pages 745, 1118, 1133, 1243

Reynolds, Mrs. Vivian Wise, mourning death of—
SJR 4, pages 49, 103, 137, 156

Robert E. Lee high school, commending Johnny Long—
HJR 18, pages 100, 158

Robison, miss Mary, extending congratulations to—
HJR 55, pages 362, 460

Samford, Frank, extending congratulations to—
HJR 109, pages 883, 1197

Selden, representative Armistead, commended—
HJR 160, pages 1794, 1965

Seminar on Economic Potential, endorsing—
SJR 60, pages 1562, 1672, 1704, 1915

RESOLUTIONS (Continued)

Senate, appointment of committee to design and procure seal for use on official documents—
SR 9, pages 56, 1819

Senate, recommending repairs to north wing of capitol—
SR, 61, page 1688

Senate, special order—
SR 26, page 254
SR 30, pages 270, 271, 297
SR 34, page 377
SR 37, pages 566, 591, 680
SR 45, page 892
SR 46, pages 932, 936, 1020
SR 62, page 1712
SR 64, pages 1858, 1864
SR 76, page 2090

Simpson, James A., expressing appreciation to—
SR 32, page 373

Sons of Confederate Veterans and United Daughters of the Confederacy, commended—
SJR 16, page 155

Stakely, Charles Averett, Jr., mourning death of—
SJR 24, pages 252, 452, 488, 566

Stanford, miss Leigh, extending congratulations to—
HJR 60, pages 364, 461

State and local agencies urged not to sign compliance agreements—
HJR 7, page 34

State parks, requesting recension of order requiring fees to be charged for entrance to—
SR 43, page 704

Stevenson, Adlai Ewing, mourning death of—
HJR 112, pages 801, 1807, 1964

Sullivan, representative Ulie B., extending congratulations to—
HJR 171, pages 171, 1861

Supreme court opinion on constitutionality of Senate Bill 133 questioned—
SR 15, pages 154, 300

Supreme court requested to render advisory opinion on Senate Bill 216—
SR 29, pages 269, 1917

Sutton, Robert E., Sr., congratulated on retirement of—
HJR 133, pages 1323, 1547

Tarwater, doctor J. S., invited to address legislature—
HJR 17, page 102

Telephone operators, state, expressing appreciation to—
HJR 169, pages 1828, 1965

Textbooks, committee created to study distribution of—
HJR 104, page 804

RESOLUTIONS (Continued)

Walker County, designation of "The Gwin High School"—
HJR 94, pages 680, 938
HJR 95, pages 679, 938

Walker County, town of Dora, construction of new schools at—
SJR 39, pages 609, 1672, 1704, 1915

Walker County, town of Sumiton, construction of new school at—
SJR 40, pages 609, 1673, 1704, 1915

Watson, John, commended—
HJR 189, pages 1999, 2102

Watson, Sarah Pearl, mourning death of—
HJR 178, pages 2004, 2101

Weakley, colonel David M., extending congratulations to—
HJR 58, pages 362, 461
SJR 31, page 352

Williams, Peyton Ward, mourning death of—
HJR 123, pages 1122, 1240

Yemm, doctor Warren Ashley, mourning death of—
HJR 24, pages 198, 460

"Zoe Dobbs Dormitory," designation of—
HJR 74, pages 530, 615

RESOURCES ADVISORY BOARD

Southeast river basins, appointment of member to, and appropriation to—
HB 95, pages 357, 1195, 2081, 2112

RETIREMENT SYSTEMS

Cities 250,000 population or more, composition board of managers of pension and relief fund—
HB 1262, pages 1658, 1697, 1853, 1964

Dothan, city, of investment of funds of the retirement system—
HB 928, pages 865, 970, 1063, 1205
HB 1122, pages 1270, 1505, 1620, 1791

Employees', benefits under, and method of financing—
HB 160, pages 490, 670, 1469
SB 14, pages 7, 264, 464, 1235, 1245, 1451

Employees', defining creditable service under—
HB 210, pages 194, 366, 900, 1196
SB 123, page 60

Jefferson County, creating retirement system for circuit and deputy solicitors—
HB 1057, pages 1186, 1357, 1591, 1787

Mobile County, city of Mobile, investment of policemen and firemen's pension and relief fund—
HB 564, pages 778, 1035, 1410, 1550

Mobile County, city of Prichard, coverage of library employees under pension and relief system—
HB 409, pages 377, 968, 1056, 1211

RETIREMENT SYSTEMS (Continued)

Mobile County, city of Prichard, qualifications for benefits under water works and sewer board pension and relief system—
HB 148, pages 421, 1036, 1412, 1576

Teachers', creditable service under—
SB 155, pages 80, 265, 464, 1268, 1368, 1451

REVENUE, STATE DEPARTMENT OF

Antique vehicles, licensing and registration of—
HB 15, pages 580, 885
SB 80, page 24

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

REVENUE, STATE DEPARTMENT OF

Assessed property valuations among the counties, providing for equalization of—
SB 440, page 621

Assistant counsel for, providing for—
SB 390, pages 480, 919

Commissioner of, compensation—
SB 280, pages 262, 671, 891, 1449

Geneva County, town of Slocomb, collection of sales and use taxes levied by—
SB 201, pages 160, 235, 274

Jackson County, collection of sales and use taxes levied by—
HB 998, pages 1157, 1357, 1590

Lamar County, town of Kennedy, collection of sales and use taxes levied by—
HB 504, pages 390, 541, 610, 944

Machines and equipment used for agricultural purposes, tax levied on persons selling—
HB 56, pages 1443, 1556, 1953, 1977

Severance tax on forest products, collection and distribution of proceeds of—
SB 69, page 23

REYNOLDS, CHERYL

Commended—
SJR 44, pages 745, 1118, 1133, 1243

REYNOLDS, JOHN CARLON

Coffee County, relief of—
HB 977, pages 929, 971, 1067, 1206

REYNOLDS, MRS. VIVIAN WISE

Mourning death of—
SJR 4, pages 49, 103, 137, 156

RICHMOND PEARSON HOBSON MEMORIAL BOARD

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

RIOTS

Incitement of, penalty for—

SB 604, page 1453

Peace officers, liability for killing, wounding, or injuring person taking part in—

SB 196, pages 137, 232

RIVERS

Alabama-Coosa river improvement association, incorporated, appropriation—

SB 475, pages 831, 1348

HB 891, pages 1444, 1694

Elk river development agency, creation of—

SB 133, pages 65, 154, 300, 917

Elk river development authority, appropriation—

SB 229, page 209

Pollution of, deploring—

HJR 166, page 1826

Water improvement commission, creation of—

HB 132, pages 715, 1032, 1760, 1784, 1822, 1892

SB 25, page 10

SB 124, page 60

ROADS AND BRIDGES

See also: BRIDGES; HIGHWAY DEPARTMENT, STATE; HIGHWAYS

Bonds for highways to be constructed jointly with federal government, issuance of—

HB 452, pages 683, 885, 934, 1069, 1136, 1202

Cherokee County, regulating construction of—

HB 1033, page 1164

Colbert County, construction, repair, and maintenance of—

SB 593, pages 1253, 1509, 1574, 1821, 1838, 1916

Colbert County, referendum relating to construction, repair, and maintenance of—

SB 154, pages 79, 234, 463, 975

Convicts, regulating working of—

HB 916, pages 1229, 1351, 1807, 1959

SB 454, pages 689, 884

Cullman County, expense allowance for county engineer—

HB 898, pages 765, 969, 1060, 1211

Engineers, county, state participation in salary of—

SB 316, pages 311, 366, 902, 1863, 1896, 2133

Highway department, state, appointment of director of—

SB 339, pages 355, 1352

ROADS AND BRIDGES (Continued)

Motor vehicles, prescribing exemptions from size and weight limits—
SB 379, page 478

Motorcycles and motorbikes, operators and riders required to wear
protective helmets—
HB 601, page 1377

Right-of-way, penalty for throwing lighted material on—
SB 87, pages 25, 40, 256, 1518

Vehicles, oversized, issuance of permits for movement of—
SB 115, page 45

Winston County, construction, repair, and maintenance of—
HB 194, pages 120, 972, 1069, 1681

ROANOKE, CITY OF

Boundaries altered—
HB 565, page 527
SB 315, pages 309, 371, 450, 614, 619, 685

ROBERT E. LEE HIGH SCHOOL

Long, Johnny, commended—
HJR 18, pages 100, 158

ROBINSON, MISS MARY

Extending congratulations to—
HJR 55, pages 362, 460

ROCKFORD, TOWN OF

Boundaries altered—
HB 470, pages 524, 699, 985, 1119, 1201

ROY B. SEWELL DORMITORY

Designation of—
HJR 14, pages 97, 158

RUSSELL COUNTY

Sheriff, appointment and compensation of deputies—
SB 331, pages 316, 372, 451, 615, 619, 685

RUSSELLVILLE, CITY OF

Boundaries altered—
HB 760, pages 647, 719, 995, 1199
HB 812, pages 770, 969, 1060, 1216
HB 925, pages 878, 967, 1053, 1211
HB 1120, pages 1271, 1508, 1626, 1823, 1892
HB 1274, pages 1721, 1801, 1943, 1976

SAILORS

Absentee voting by, authorized—
HB 664, pages 1151, 1355, 1817, 1958

SALES TAX

Bullock County, collection and enforcement of—

SB 565, pages 1077, 1195, 1425

HB 1174, pages 1385, 1506, 1621, 1791

Chilton County, exemption, deductions, and exclusions from—

HB 465, pages 780, 968, 1056, 1211

Cities 700,000 to 120,000 population, authorizing levy of—

HB 516, pages 379, 700, 986, 1121, 1201

SB 238, pages 220, 251, 293

Counties 19,500 to 20,000 population, repeal of—

HB 1046, pages 1179, 1360, 1597, 1786

Counties 500,000 population or more, levied—

HB 482, pages 408, 537, 721, 941, 1313, 1547

Delinquent or incorrect, assessment and collection of—

SB 386, pages 479, 919

Earth moving and construction equipment, alternate method of paying sales tax on—

SB 572, pages 1080, 1349, 1566, 1877, 1927, 2133

Educational and cultural concerts and productions, exemption from—

HB 146, pages 1109, 1350

Geneva County, town of Slocumb, collection of—

SB 201, pages 160, 235, 274

Herbicides, exemption from—

HB 2, pages 358, 669, 1221, 1266, 1367

SB 89, page 26

Hospitals, profit and non-profit, exemption from—

SB 126, pages 61, 1349

Incorrect payment of, refund of overpayment or payment of deficiency—

SB 386, pages 479, 919

Jackson County, levied—

HB 998, pages 1157, 1357, 1590

Lamar County, town of Kennedy, collection of sales and use taxes levied by—

HB 504, pages 390, 541, 610, 944

Limestone County, exemption from—

SB 424, pages 588, 825, 1015, 1366, 1429, 1679

Municipal, excluded in computation of state lodgings tax—

HB 218, pages 1226, 1350, 1815, 1956

Perry County, distribution of proceeds of—

HB 875, pages 800, 970, 1061, 1210

Pickens County, levied—

HB 169, pages 143, 236, 285, 457, 582, 945

Rate of, maximum, CA—

SB 237, pages 220, 1345

Refund of, payment of interest on—

HB 730, pages 635, 917, 2085, 2114

SALES TAX (Continued)

"Sales at wholesale", and "wholesale", definition of—
HB 571, pages 1189, 1350, 1816, 1957

Schools, private, and sale of school lunches, exemption from—
SB 384, pages 479, 918

Southeastern livestock exposition, exemption from—
SB 63, page 21

Statute of limitations under act levying—
HB 594, pages 1670, 1694, 2086, 2113

Tax paid other states, reciprocal credit allowed on—
HB 684, pages 636, 917, 2085, 2114

Tuscaloosa County, penalty for failure to make certain reports
relative to—
HB 1078, pages 1182, 1513, 1643, 1886

SAMFORD, FRANK

Extending congratulations to—
HJR 109, pages 883, 1197

SAND MOUNTAIN AREA

Irrigation districts and water conservation, creation of agency for
development of—
SB 435, pages 621, 1037, 1563, 1997, 2094, 2134

Irrigation districts and water conservation, development of, CA—
SB 434, pages 620, 1038, 1565, 2000, 2093, 2134

SANITARIANS

Qualifications and registration of, and use of funds derived from
certificates of registration for—
SB 187, page 135
HB 696, pages 1444, 1557, 1952, 1977

SATSUMA, TOWN OF

Boundaries altered—
HB 413, pages 629, 1035, 1410, 1577

SAVINGS AND LOAN ASSOCIATIONS

Coffee County, branch offices authorized—
SB 152, pages 77, 234, 272, 549, 568, 617

Mortgages applicable to, or paid by, levy and collection of taxes on—
SB 72, page 72

Savings and loan deposits in two names, payment of Principal and
interest—
HB 66, pages 1746, 1804
SB 73, page 23

SCHOLARSHIPS

Appropriation for, and number of—
HB 1059, pages 1669, 1802
SB 508, pages 923, 1559

SCHOLARSHIPS (Continued)

Board of medical scholarship awards, state, appropriation—
HB 391, pages 1109, 1559, 2083, 2113
SB 166, pages 81, 1347

Dental scholarship-loan and awards program, establishment of—
HB 586, pages 1111, 1349, 1818, 1957
SB 235, pages 220, 266

Real estate commission special education and scholarship fund,
creation of—
SB 534, pages 960, 1348

SCHOOLS

See also: BOARDS OF EDUCATION; EDUCATION; SUPERINTENDENTS OF EDUCATION; TEACHERS; TRADE SCHOOLS; VOCATIONAL EDUCATION

Appropriation, public school fund—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Appropriation, training and education of retarded children—
SB 147, pages 74, 200, 247

Boards of education, trade schools, and state-supported educational institutions, filing of certain financial statement by—
HB 634, page 1747

Commissioner of education, United States, protesting threat to withhold funds—
SJR 1, pages 28, 30, 31, 32, 38, 41, 43, 46, 47, 51, 56, 59, 138, 159, 425

Deaf children, appropriation for education of—
SB 561, pages 1028, 1349

Exceptional children, including emotionally disturbed children in educational program for—
HB 963, page 1153
HB 964, page 1153

Library science, providing for program of education in field of—
SB 354, pages 433, 543, 1513

Minimum school program, additional appropriation for—
SB 367, page 472

Minimum school program, determination of number of teacher units under—
SB 258, page 250

Private, authorizing local financial assistance to—
SB 137, pages 66, 265

Sales tax, exempting school lunches and private schools from—
SB 384, pages 479, 918

School institutes, regulating holding of—
HB 893, pages 1148, 1693

Teachers' retirement system, appropriation—
HB 864, page 1240
SB 366, page 472

SCHOOLS (Continued)

Teachers' retirement system, creditable service under—
SB 155, pages 80, 265, 464, 1268, 1368, 1451

Teachers' salaries, calculating allotments for—
HB 1170, pages 1446, 1560

Tuition grant for attendance at private schools provided for—
SB 394 pages 480, 884, 1431, 1452, 1894, 1928, 2133

SCHOOLS OF NURSING

Regulation and approval of—
SB 210, pages 163, 543, 1487, 1561, 1866, 1927, 2133

SCOTTSBORO, CITY OF

Boundaries altered—
HB 1124, pages 1293, 1505, 1845, 1960

SEAMEN

Absentee voting by, authorized—
HB 664, pages 1151, 1355, 1817, 1958

SEAPORTS

Alabama port authority, creation and operation of—
SB 117, page 45

Alabama port authority, creation and operation of, CA—
SB 116, page 45

SEARCY HOSPITAL

Mental health, creating single state agency to coordinate activities related to—
HB 699, pages 1269, 1557, 1897, 1914, 1935, 1953, 1969, 2115, 2130
SB 352, pages 430, 901

SECRETARY OF STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Books and documents in relation to the public lands, distribution of—
HB 316, pages 580, 888

Compensation—
HB 402, pages 1311, 1559, 1759, 1883
SB 205, pages 162, 266, 1475

Field notes of original surveys of real property, acquisition by county governing bodies—
HB 315, pages 358, 1885

Grants and patents issued by the state, recordation of—
HB 317, pages 580, 669

Notaries public, maintenance of record of—
HB 314, pages 580, 669

Photographic reproduction of certain records of, authorized—
HB 318, pages 580, 885

Succession to office, CA—
SB 101, page 27

SECURITIES

Insurance companies, domestic, regulating proxies, consents, and authorizations with respect to securities issued by—
SB 272, page 261

Insurance companies, exemption from taxation of corporate shares of stock of—
SB 274, pages 261, 673, 909, 920, 1231, 1245, 1451

SECURITIES COMMISSION, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

SEED

Dealers in, license fees payable by
SB 79, pages 24, 243
HB 31, pages 1313, 1465

SEEING-EYE DOG

Authorized to accompany blind person to any place of public accommodation—
SB 589, page 1250

SEISMIC AND GEOPHYSICAL EXPLORATION

Conservation, state department of, creating fund for use in—
HB 576, pages 1155, 1350

SELDEN, REPRESENTATIVE ARMISTEAD

Commended—
HJR 160, pages 1794, 1965

SELMA, CITY OF

Boundaries altered—
SB 532, pages 956, 1033, 1397, 1659, 1703, 1915
HB 1115, pages 1227, 1505

SEMINAR ON ECONOMIC POTENTIAL

Endorsing—
SJR 60, pages 1562, 1672, 1704, 1915

SENATE

See also: LEGISLATURE; RESOLUTIONS

Adjournment—
HJR 3, page 30
HJR 99, page 684
HJR 152, page 1728
SJR 21, page 215
SJR 25, page 254
SJR 42, page 683

Adjournment sine die—
SJR 75, pages 2090, 2115, 2123, 2135

Appropriation—
SB 185, pages 135, 233, 322, 463, 465, 566, 617

SENATE (Continued)

- Board of registrars, confirmation of appointment of members—
SB 344, pages 355, 1353
- Budget document, extending time for filing—
SR 5, page 1
- Clerical assistance for checking journals, provided for—
HJR 173, pages 1978, 2101
- Conference committee discharged—
page 2125
- Commission on intergovernmental cooperation, creation of—
SB 554, page 1022
HB 892, pages 1444, 1560, 2091, 2097, 2130
- Committee created to study distribution of textbooks—
HJR 104, page 804
- Committee created to study problems of production and processing
of cotton, continuation of—
HJR 4, pages 29, 63, 153
- Committee on educational institutions, creation of—
SJR 65, pages 1865, 1933, 2111, 2123, 2135
- Committee to investigate and study historical sites, creation of—
HJR 5, page 35
- Committee to investigate feasibility of constructing building on the
Jesse Earl Speight Mall, creation of—
HJR 144, pages 1545, 1650
- Committee to study reapportionment, extending—
HJR 196, page 2118
- Form disclosing connection with firms doing business with the state,
execution of—
SB 398, pages 481, 888
- Governor notified that legislature is in session—
HJR 2, page 4
- Jefferson County members of, election of—
HB 775, pages 642, 692, 736, 940
SB 310, pages 307, 370, 976
SB 313, pages 308, 370, 976
- Jesse Earl Speight Mall, appropriation for installation of plaques
in—
SB 90, pages 26, 264, 322, 1736, 1758, 1915, 2111
- Legislative interim committees, compensation and allowances of
members and employees of—
HB 301, pages 1312, 1692
- Members elected on building commission, public accounts; Senate
members—
page 154
- Motion in writing Robison (M), relative to recess—
page 31
- Motion in writing Horton, relative to adjournment—
page 43

SENATE (Continued)

Motion in writing Mathews, relative to consent of Senate to House action on adjournment—
page 48

Motion in writing Gilchrist, relative to SR 30—
page 297

Motion in writing Gilchrist, relative to adjournment—
page 462

Motion in writing Eddins, relative to adjournment—
page 1242

Motion in writing Nichols, relative to adjournment—
page 1362

Motion in writing Gilchrist, relative to H. B. 310 to reconsider vote—
page 1499

Reapportionment of—
SB 498, pages 894, 1030
HJR 148, pages 1675, 1881

Reapportionment of, CA—
HB 24, pages 1737, 1797
SB 496, pages 894, 919, 2134

Repairs to north wing of capitol, recommended—
SR 61, page 1688

Seal for use on official documents, appointment of committee to design and procure—
SR 9, pages 56, 1819

Seal committee report adopted—
page 1819

Secretary relieved of responsibility for codes, acts, journals, and other books furnished members—
SJR 66, pages 1931, 1978, 2094, 2134

Sessions, and compensation and allowances of members—
HB 301, pages 1312, 1692
SB 109, pages 34, 231, 353, 375, 889, 891, 906

Sessions, and compensation and allowances of members, CA—
HB 302, pages 1312, 1465
SB 110, pages 34, 231, 376, 890, 906

Special order—
SR 26, page 254
SR 30, pages 270, 271, 297
SR 34, page 377
SR 37, pages 566, 591, 680
SR 45, page 892
SR 46, pages 932, 936, 1020
SR 62, page 1712
SR 64, pages 1858, 1864
SR 76, page 2090

Statement by McDow relative to HB 132—
page 1784

Statement by Montgomery relative to SB 208—
page 894

SENATE (Continued)

Staff commended for assistance in making preparations for "Senate Reunion Day"—
SR 32, page 373

Supreme court opinion on constitutionality of Senate Bill 133 questioned—
SR 15, pages 154, 300

Supreme court opinion rendered on SB 133, under SR 15—
pages 154, 300

Supreme court opinion rendered on HB 32, under SR 51, 1st special session 1965—
page 4

Vacancies in elective offices, confirmation of appointment by—
SB 341, pages 355, 1353

SERVICE OF PROCESS

Corporations, service of process on—
HB 688, pages 1234, 1344, 1760, 1883

Evidence of, in certain cases—
HB 786, pages 1230, 1344

Non-resident defendant, evidence of service of process upon—
HB 787, pages 1230, 1550

Non-resident owners and operators of boats and other water craft, service of process on—
HB 622, pages 1155, 1343

Non-residents, service of process on—
SB 544, page 1022
HB 319, pages 580, 669

Partition proceedings, service of process on certain parties—
HB 305, pages 1225, 1343

SERVICE STATIONS

Gasoline, hours for unloading of—
HB 222, pages 1377, 1464, 1813, 1957

SEVENTH JUDICIAL CIRCUIT

Court reporters, compensation—
HB 858, pages 754, 820, 999, 1203

Judges, compensation—
HB 857, pages 753, 820, 1000, 1203

Judges, expense allowance—
HB 859, pages 755, 820, 999, 1203

Solicitor, compensation—
HB 852, pages 750, 820, 1001, 1203

Solicitor, expense allowance—
HB 861, pages 756, 820, 998, 1204

SEVERANCE TAX

Forest products, distribution and use of proceeds of—
SB 69, page 23

Timber or forest lands, levying ad valorem tax on—
HB 974, pages 1442, 1465

Timber or forest lands, levying ad valorem tax on, CA—
HB 975, pages 1442, 1465

SEWER SYSTEMS

Counties 400,000 populations, construction and improvement of
lateral sewer lines outside corporate limits of municipalities
within—
HB 1179, pages 1441, 1500, 1611, 1789

SEWING MACHINES

Licensing of sales of—
SB 92, page 26

SHEEP

Abusive treatment of, prohibited—
SB 426, page 619

SHELBY COUNTY

Alabaster, town of, boundaries altered—
HB 789, pages 636, 697, 882, 1200

Board of equalization, expense allowance for members of—
HB 1210, pages 1379, 1505, 1619, 1729, 1879

Board of revenue and control, compensation of members—
HB 877, pages 848, 969, 1060, 1210

Helena, town of, boundaries altered—
HB 788, pages 846, 969, 1058, 1210

Insuring of public buildings, regulating—
HB 949, pages 867, 967, 1053, 1211, 1542, 1649

Judge of probate, circuit clerk, register, sheriff, tax assessor, and tax
collector, compensation and clerical assistance—
HB 333, pages 182, 238, 286, 487, 489

Judge of probate, circuit clerk, register, sheriff, tax assessor, and tax
collector, compensation and clerical assistance, CA—
HB 332, pages 182, 238, 285, 459

Law and equity court, abolished and re-established—
HB 950, pages 856, 967, 1054, 1212

Personnel appeals board, creation of—
HB 951, pages 868, 967, 1054, 1212

Planning commission, creation of—
HB 952, pages 1112, 1695, 1937, 1987, 2100

SHERIFF

Autauga County, payment of premium on bond of—
HB 1088, pages 1310, 1504, 1617, 1790

Baldwin County, compensation and clerical assistance—
HB 1090, pages 1743, 1801, 1971, 1999, 2001

SHERIFF (Continued)

- Baldwin County, compensation and clerical assistance, CA—
HB 708, pages 552, 718, 994, 1202
- Baldwin County, compensation of deputies—
HB 1092, pages 1372, 1509, 1631, 1886
- Covington County, compensation of deputies—
HB 44, pages 138, 236, 281, 456
- Dallas County, compensation—
SB 396, pages 480, 674, 725, 1155, 1218, 1265, 1447, 1450, 1452, 1680
- DeKalb County, appointment and compensation of deputies—
SB 142, pages 68, 127, 248, 627, 678, 716
- Elmore County, mileage allowance for deputies—
HB 1171, pages 1378, 1506, 1622, 1791
- False personation of, penalty for—
HB 295, page 794
- Fayette County, appointment and compensation of additional deputy—
SB 351, pages 429, 534, 597, 881, 914, 923
- Greene County, compensation and clerical assistance—
HB 763, page 650
- Greene County, compensation and clerical assistance, CA—
HB 268, page 178
- Houston County, compensation of deputies—
HB 765, pages 651, 699, 742, 818
- Lauderdale County, compensation and clerical assistance—
HB 455, pages 341, 373, 594, 616
- Lauderdale County, compensation and clerical assistance CA—
HB 454, pages 339, 373, 594, 616
- Lauderdale County, compensation of secretary to—
HB 1004, pages 1099, 1800, 1941, 1975
- Limestone County, compensation of deputies—
HB 647, Pages 511, 823, 1010, 1206
- Marshall County, appointment and compensation of deputies—
HB 778, pages 653, 719, 995, 1199
- Marshall County, expense allowance—
HB 519, pages 380, 542, 611, 944
- Marshall County, transfer of all records to office of—
HB 1144, pages 1280, 1554, 1686
- Perry County, number of deputies and their compensation—
HB 523, pages 404, 542, 611, 944
- Prisoners, appropriation for feeding—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
- Calhoun County, compensation—
HB 854, pages 751, 820, 1000, 1203

SHERIFF (Continued)

- Chambers County, compensation
HB 909, pages 854, 966, 1051, 1213
- Cherokee County, compensation and clerical assistance—
HB 1035, pages 1166, 1360, 1631, 1885
- Counties 14,000 to 15,000 population, expense allowance for deputies—
HB 1106, pages 1300, 1507, 1625, 1792
- Counties 21,900 to 22,300 population, authorizing additional deputy—
HB 441, pages 337, 718, 993, 1200
HB 478, page 386
- Counties 22,350 to 24,350 population, authorizing additional deputies—
HB 155, pages 109, 535, 598, 624
- Counties 24,500 to 24,550 population, compensation of deputies to—
HB 286, pages 178, 238, 284, 459
- Counties 26,000 to 27,000 population, clerical assistance—
SB 513, pages 924, 972, 1395
- Counties 45,575 to 46,500 population, appointment and compensation of deputies—
SB 331, pages 316, 372, 451, 615, 619, 685
- Counties 48,500 to 49,500 population, fee for issuance of pistol permit—
HB 1094, pages 1373, 1509, 1631, 1886
- Counties 49,500 to 50,000 population, authorizing additional deputies—
HB 558, pages 551, 675, 727, 941
- Counties 51,000 to 56,000 population, compensation of deputies and other assistants to—
HB 537, pages 761, 968, 1057, 1209
- Counties 55,000 to 60,000 population, fee for issuance of pistol permit—
HB 865, pages 931, 1035, 1409, 1549
- Counties 61,000 to 65,000 population, creating civil service board of appeals relative to deputies of—
HB 717, pages 553, 1553, 1685, 1883
- Counties 65,000 to 95,000 population, compensation—
HB 797, pages 663, 697, 983
SB 420, pages 586, 693, 730, 1216, 1219, 145
- Counties 150,000 to 400,000 population, fee for issuance of pistol permit—
HB 941, pages 931, 1036, 1412, 1577
- Counties 500,000 population or more, nomination and election of—
SB 310, pages 307, 370, 976
SB 313, pages 308, 370, 976
HB 775, pages 642, 696, 736, 940
HB 1030, pages 1147, 1361, 1713, 1885
- Randolph County, compensation of additional deputy—
HB 948, pages 926, 1035, 1936

SHERIFF (Continued)

Randolph County, compensation of jailer—
HB 947, pages 925, 1035, 1843, 1959

Shelby County, compensation and clerical assistance—
HB 333, pages 182, 238, 286, 487, 489

Shelby County, compensation and clerical assistance, CA—
HB 332, pages 182, 238, 285, 459

Tallapoosa County, compensation of deputies to—
HB 237, pages 147, 237, 290, 458

Wilcox County, authorizing additional deputies—
SB 408, pages 571, 674, 726, 1155, 1218, 1450

Winston County, appointment and compensation of additional
deputies—
HB 1226, pages 1529, 1698, 1855, 1962

Winston County, filling vacancy in office of—
HB 195, pages 123, 699, 984, 1200

SHOTGUNS

Shooting or throwing missiles into dwelling house or other build-
ings, penalty for—
HB 293, page 793

SICKNESS INSURANCE

Application for policies of, making of—
SB 268, pages 260, 673

SIMPSON, JAMES A.

Expressing appreciation to—
SR 32, page 373

Appointed member State Personnel Board, page 63

SIXTEENTH JUDICIAL CIRCUIT

Lists of jurors in attendance, number required—
HB 73, pages 141, 243, 578, 692, 1040, 1212

SIXTEENTH JUDICIAL CIRCUIT

Solicitor, powers of—
HB 922, pages 927, 1035, 1409, 1549

SIXTH JUDICIAL CIRCUIT

Circuit clerk, expense allowance—
HB 1236, pages 1530, 1698, 1857, 1962

Judgeship, additional, creation of—
HB 531, pages 767, 1031
SB 290, pages 302, 884

Solicitor, compensation of stenographic secretary to—
SB 168, page 81

Solicitors, deputy circuit, expense allowance—
HB 958, pages 872, 1351

SLAUGHTERHOUSES

Animals, prohibiting abusive treatment of—
SB 426, page 619

SLOCOMB, TOWN OF

Boundaries altered—
SB 375, pages 476, 698, 983, 1311, 1368, 1451

Sales and use taxes levied by, collection of—
SB 201, pages 160, 235, 274

SLOT MACHINES

Machines, tables, or devices requiring federal gaming device stamp,
penalty for owning or operating—
HB 670, pages 1148, 1344

Machines, tables, or devices requiring federal gaming device stamp,
privilege license tax levied on—
HB 671, pages 1148, 1344

SNEAD JUNIOR COLLEGE

Appropriation—
SB 175, pages 82, 203, 266

Appropriation, construction of chapel on campus of—
SB 151, page 77

SOCIAL SECURITY

Appropriation, state's share of—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80
HB 864, page 1240

SOCIAL SECURITY, STATE AGENCY FOR

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

"Employee", definition of—
HB 782, pages 1230, 1348, 2082, 2114
SB 393, pages 480, 671

SOIL CONSERVATION

Bear creek watershed association, appropriation—
HB 399, pages 768, 887, 1691, 1882
SB 163, page 81

Choccolocco creek watershed association, appropriation—
HB 398, pages 1110, 1346, 2080, 2113
SB 165, page 81

SOIL CONSERVATION COMMITTEE, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

SOLICITOR, CIRCUIT

Compensation—

SB 505, pages 915, 1029

Counties 51,000 to 56,000 population, compensation of secretary to—

HB 536, pages 761, 968, 1057, 1209

Counties 96,000 to 106,000 population, powers of—

HB 922, pages 927, 1035, 1409, 1549

Counties 500,000 population or more, nomination and election of—

HB 1030, pages 1147, 1361, 1713, 1885

Designated as district attorney, CA—

HB 1016, pages 1155, 1345, 2116, 2131

Expenses incurred for duty outside of circuit, payment of—

SB 391, pages 480, 678, 1468, 1863, 1897, 2133

Fourteenth judicial circuit, expense allowance—

SB 278, pages 263, 676, 728, 1658, 1701, 1832, 1895, 2133

Fourth judicial circuit, clerical assistant—

HB 473, pages 1157, 1356, 1587, 1651, 1793

Fourth judicial circuit, expense allowance—

HB 474, pages 1157, 1356, 1586, 1651, 1794

Geneva County, expense allowance—

HB 1173, pages 1381, 1699, 1858, 1960

SB 560, page 1027

Jefferson County, creating retirement system for—

HB 1057, pages 1186, 1357, 1591, 1787

Judicial circuits composed of one county having not less than four nor more than nine judges, compensation—

HB 1189, pages 1380, 1511, 1637, 1889

Judicial circuits composed of one county 60,500 to 65,000 population and having two judges, compensation—

HB 508, pages 379, 1553, 1684, 1883

Judicial circuits composed of one county 65,000 to 95,000 population, expense allowance—

SB 407, pages 570, 693, 729, 1155, 1218, 1450

Judicial circuits composed of one county 110,000 to 160,000 population, expense allowance—

HB 719, pages 553, 701, 744, 818

SB 347, pages 427, 534, 720, 1190, 1218, 1450

Nineteenth judicial circuit, creation of fund for use of—

HB 359, pages 1189, 1356, 1589, 1784

Seventh judicial circuit, compensation—

HB 852, pages 750, 820, 1001, 1203

Seventh judicial circuit, expense allowance—

HB 861, pages 756, 820, 998, 1204

Sixth judicial circuit, compensation of stenographic secretary to—

SB 168, page 81

SOLICITOR, CIRCUIT (Continued)

Sixth judicial circuit, expense allowance for deputy circuit solicitors—
HB 958, pages 872, 1351

Solicitor's fund in each judicial circuit, creation of—
SB 61, pages 21, 532, 1440, 1878, 1926, 2133

Tenth judicial circuit, appointment and compensation of additional deputy circuit solicitors—
HB 772, pages 640, 696, 1517, 1649
SB 346, pages 356, 534, 1567

Twelfth judicial circuit, expense allowance—
HB 794, pages 768, 821, 1002, 1209

Twenty-third judicial circuit, appointment and compensation of additional clerk—
SB 361, pages 467, 697, 738

Twenty-third judicial circuit, compensation—
HB 826, pages 773, 823, 1007, 1207
SB 363, pages 471, 698, 739

Twenty-third judicial circuit, compensation and duties of chief clerk and second clerk—
SB 361, pages 467, 697, 738
HB 828, pages 776, 821, 1002, 1209

SOLICITOR, COUNTY

Cherokee County, office abolished—
HB 352, pages 185, 238, 292, 459, 1810

Counties 10,800 population or less, expense allowance—
HB 249, pages 210, 973, 1068, 1207

Counties 25,700 to 26,000 population, appointment and compensation of secretary—
SB 145, pages 72, 321, 447, 462, 745, 806, 828

Counties 38,000 to 46,000 population, expense allowance—
SB 403, pages 485, 825, 1015, 1966, 2093, 2134

Counties 42,000 to 46,000 population, clerical assistance—
HB 919, pages 866, 966, 1052, 1211

Counties 49,500 to 50,500 population, expense allowance—
HB 513, pages 551, 700, 986, 1200

Counties 57,000 to 61,000 population, expense allowance—
SB 584, pages 1246, 1504, 1572

Perry County, compensation—
HB 524, pages 405, 542, 612, 944

SOLICITOR, DEPUTY

Cherokee County, compensation—
HB 1035, pages 1166, 1360, 1631, 1885

Cherokee County, office created—
HB 352, pages 185, 238, 292, 459, 1810

Counties 10,800 population or less, expense allowance—
HB 249, pages 210, 973, 1068, 1207

SOLICITOR, DEPUTY (Continued)

Counties 42,000 to 46,000 population, clerical assistance—
HB 919, pages 866, 966, 1052, 1211

Counties 46,600 to 49,050 population, office abolished—
HB 1013, pages 1104, 1191, 1585

Counties 49,500 to 50,500 population, expense allowance—
HB 513, pages 551, 700, 986, 1200

Elmore County, compensation—
HB 475, pages 387, 536, 601, 625

Expenses incurred for duty outside circuit, payment of—
SB 391, pages 480, 678, 1468, 1863, 1897, 2133

Fifteenth judicial circuit, appointment and compensation—
SB 242, pages 221, 671, 1474, 1874, 1896, 2133

Jefferson County, creating retirement system for—
HB 1057, pages 1186, 1257, 1591, 1787

Perry County, compensation—
HB 524, pages 405, 542, 612, 944

Sixth judicial circuit, expense allowance for deputy circuit solicitors—
HB 958, pages 872, 1351

Twenty-third judicial circuit, appointment and compensation of deputy circuit solicitors—
HB 933, pages 842, 967, 1053, 1211
SB 481, page 834

SOLICITOR, SUPERNUMERARY CIRCUIT

Duties, compensation, and expense allowance—
HB 213, pages 1236, 134

SONS OF CONFEDERATE VETERANS

Commended—
SJR 16, page 155

SOUTHEAST RIVER BASINS

Resource advisory board, appointment of member to, and appropriation to—
HB 95, pages 357, 1195, 2081, 2112

SOUTHEASTERN LIVESTOCK EXPOSITION

Sales tax, exemption from—
SB 63, page 21

SOUTHERN REGIONAL EDUCATION BOARD

Appropriation, commission on mental illness—
HB 396, pages 1110, 1346, 2080, 2113
SB 162, page 81

SOUTHERN STATES

Appropriation, unclear development of—
HB 397, pages 1117, 1346, 2080, 2113
SB 164, page 81

SOUTHERN UNION COLLEGE

"George C. Wallace Building," designation of—
SJR 73, pages 1934, 1978, 2095, 2134

SOUTHERN UNIVERSITY

Museum on site of, establishment of—
SB 252, page 226

SOUTHSIDE, TOWN OF

Boundaries altered—
SB 149, pages 75, 234, 272, 627, 678, 716
HB 755, pages 642, 696, 736, 940
HB 757, pages 787, 822, 1005, 1208

SOVEREIGNTY COMMISSION, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

SOVIET CONSULAR TREATY

Opposing ratification of—
HJR 197, pages 2117, 2132

SPENCER, HARVEY

Tuscaloosa County, relief of—
HB 533, pages 502, 695, 733, 943

SPRING HILL COLLEGE

Appropriation, construction of chapel on campus of—
SB 151, page 77

ST. CLAIR COUNTY

Board of education, compensation and expense allowance of members—
HR 843, pages 768, 821, 1001, 1209

Boundaries altered—
SB 503, pages 915, 973, 1069

Court of county commissioners, mileage allowance for members of—
HB 1201, pages 1387, 1508, 1627, 1889
SB 568, pages 1079, 1194, 1424

Inferior court, appointment of clerical assistance for—
HB 969, pages 1714, 1801, 1943, 1975

"The Iola Roberts Elementary School," designation of—
HJR 158, pages 1795, 1965

"The O. D. Duran Junior High School," designation of—
HJR 159, pages 1795, 1965

Pell City, city of, boundaries altered—
HB 175, pages 278, 321, 448, 489

ST. DOMINIC SAVIO CIRCLE 1516

Commended—
HJR 135, pages 1322, 1547

STAKELY, CHARLES AVERETT, JR.

Mourning death of—
SJR 24, pages 198, 460

STANFORD, MISS LEIGH

Extending congratulations to—
HJR 60, pages 364, 461

STATE AGENCIES AND INSTITUTIONS

Compliance agreements, urged not to sign—
HJR 7, page 55

Prison made good, purchase of—
SB 453, pages 689, 884

Purchasing, regulated—
SB 359, pages 442, 543

STATE LANDS AND PROPERTY

Grants and patents issued by the state, recordation of—
HB 317, pages 580, 669

Insurance fund, state, amount of premiums charged by—
HB 679, page 1669

Physically handicapped, requiring public buildings to be made accessible to—
SB 68, pages 23, 201, 246, 1231, 1245, 1451

Sale of, ascertainment of fair market value prior to—
HB 131, pages 507, 1560

State purchasing, exemptions from competitive bids—
HB 807, page 1745
SB 359, pages 442, 543

Survey of state-owned lands, appropriation for—
SB 24, page 10

Timber, minerals, and other natural resources on state-owned lands, regulating sale of—
SB 84, page 25

Water management districts, organization of—
SB 364, pages 472, 670, 903, 1865, 1928, 2133

Water management districts, organization of, CA—
SB 365, pages 472, 670, 904, 1877, 1926, 2133

STATE TRAINING SCHOOL FOR GIRLS

Appropriation—
HB 864, page 1240
SB 366, page 472

STEVENSON, ADLAI EWING

Mourning death of—
HJR 112, pages 882, 1197

STOCKS AND BONDS

Appropriation, state securities commission—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Domestic stock insurance company equity securities, insider trading
of—
HB 112, pages 360, 674, 908, 1197
SB 269, page 261

Insurance companies, domestic, regulating proxies, consents, and
authorizations with respect to securities issued by—
SB 272, page 261

Insurance companies, exemption from taxation of corporate shares
of stock of—
SB 274, pages 261, 673, 909, 920, 1231, 1245, 1451

STOCKYARDS

Animals, prohibiting abusive treatment of—
SB 426, page 619

STONE, RAY

Marshall County, relief of—
HB 1010, pages 1102, 1192, 1420, 1578

STREETS

Motorcycles and motorbikes, operators and riders required to wear
protective helmets—
HB 601, page 1377

SUBPOENAS DUCES TECUM

Regulating use of—
HB 792, pages 1231, 1343

SUITS

See also: ACTIONS; CIVIL REMEDIES AND PROCEDURES; EVI-
DENCE; JUDICIAL PROCEDURE

Actions on contracts or in tort in which venue is improperly laid,
recovery of damages from plaintiff's attorney—
SB 573, pages 1140, 1341

Circuit court, permitting motion to set aside judgment or decree, or
granting of new trial—
HB 676, pages 792, 1028

Corporations, service of process on—
HB 688, pages 1234, 1344, 1760, 1883

Counties 20,050 to 21,850 population, admissibility of evidence in
certain civil actions—
HB 1264, pages 1657, 1804, 1950, 1977

Counties 76,000 to 109,000 population, introductions of certified copies
of hospital records as evidence—
SB 609, pages 1458, 1552

Crossclaims and third party practice in civil actions at law, pro-
vided for—
HB 621, pages 1156, 1550, 2103, 2129

SUITS (Continued)

- Divorce, residence requirements for—
SB 22, pages 10, 199
- Divorce suits, property settlements in—
HB 72, pages 554, 1030
- Equity, compelling presentation of books, papers, and other documents in certain cases—
HB 45, pages 1231, 1343
HB 46, pages 1232, 1343
- Garnishment, exemption of wages from—
SB 411, page 572
- Hospitals, regulating use of records as evidence—
HB 275, pages 210, 668
- Hunting, fishing, or recreation, landowners duty toward persons on their premises for purpose of—
HB 22, pages 357, 677, 1517, 1649
- Insurance, state superintendent of, fee for acceptance of service of legal process—
HB 230, pages 790, 902
- Juries in civil actions, striking of—
SB 253, pages 226, 532, 614, 1875, 1896, 2133
- Legal notices, rates for publication of—
HB 715, pages 633, 702, 1514, 1649
HB 716, pages 634, 702, 1514, 1649
- Legal notices, supplemental publication of—
SB 178, pages 131, 268
- Non-resident owners and operators of boats and other water craft, service of process on—
HB 622, pages 1155, 1343
- Non-residents, service of process on—
SB 544, page 1022
HB 319, pages 580, 669
- Minors, recovery of damages from parents upon destruction of property by—
HB 377, pages 798, 1030, 2091
SB 203, pages 162, 532
- Person having defective hearing or speech, providing for an interpreter for—
HB 591, pages 799, 920, 1911, 1974
- Person rendering care at scene of accident, exemption from civil liability—
HB 16, page 1146
- Real property, prescribing period of redemption from sale under court decree, power of sale, deed of trust, or otherwise—
HB 573, pages 1080, 1342
SB 266, page 260
SB 349, pages 428, 669
- Service of process upon certain defendants, evidence of—
HB 786, pages 1230, 1344

SUITS (Continued)

Service of process upon non-resident defendants, evidence of—
HB 787, pages 1230, 1550

Subpoena duces tecum, providing for use of—
HB 792, pages 1231, 1343

Uniform commercial code, adoption of—
SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, (714),
1863, 1873, 1916

Walker County, action of ejectment to recover real property by
purchaser—
SB 598, pages 1261, 1506, 1572, 1967, 2092, 2134

Walker County, introduction of certified copies of hospital records
as evidence—
HB 742, pages 559, 701, 1041, 1212
SB 595, pages 1256, 1507, 1573, 1967, 2092

SULLIVAN, REPRESENTATIVE ULIE B.

Extending congratulations to—
HJR 171, page 1861

SUMTER COUNTY

Industrial development of, authorized, CA—
HB 1194, pages 1387, 1508, 1635, 1891

Livingston, town of, authorizing industrial development of, CA—
HB 1193, pages 1387, 1508, 1635, 1891

Livingston, town of, boundaries altered—
HB 1192, pages 1383, 1506, 1623, 1792

SUPERINTENDENT OF EDUCATION, COUNTY

Blount County, compensation—
HB 544, page 525
SB 326, pages 314, 371, 443, 614, 616, 685

Choctaw County, compensation and expense allowance—
HB 20, pages 165, 236, 276, 456

Clarke County, compensation—
HB 453, pages 338, 373, 488

Counties 13,700 to 14,300 population, compensation—
HB 821, pages 747, 822, 1006, 1207

Counties 14,000 to 15,000 population, expense allowance—
HB 1105, pages 1299, 1507, 1624, 1792

Counties 17,400 to 17,800 population, compensation—
HB 585, pages 492, 675, 997

Counties 17,400 to 17,800 population, expense allowance—
HB 1269, pages 1719, 1801, 1944, 1975

Counties 24,500 to 24,550 population, compensation—
HB 287, pages 179, 238, 445, 488

Counties 25,400 to 25,600 population, compensation and expense
allowance—
HB 459, pages 399, 536, 600
SB 281, pages 262, 322, 448

SUPERINTENDENT OF EDUCATION, COUNTY (Continued)

Counties 25,800 to 26,700 population, expense allowance—
HB 1235, pages 1530, 1696, 1852, 1962

Counties 26,000 to 27,000 population, compensation—
HB 1007, page 1101

Counties 31,000 to 32,000 population, compensation—
HB 457, pages 343, 536, 592, 616

Counties 31,000 to 32,000 population, repealing provision for ex-
pense allowance for—
HB 528, pages 384, 533, 594, 623

Counties 51,000 to 56,000 population, expense allowance—
HB 539, pages 761, 968, 1058, 1210

Fayette County, compensation—
HB 1118, pages 1290, 1513, 1642, 1886

Marion County, compensation—
HB 119, pages 105, 267, 445, 488

Washington County, compensation—
HB 180, pages 111, 237, 281, 457

SUPERINTENDENT OF EDUCATION, STATE

Succession to office, CA—
SB 101, page 27

Tuition grant for attendance at private schools, provided for—
SB 394, pages 480, 884, 1431, 1452, 1894, 1928, 2133

SUPERIOR COURT

Marion County, jurisdiction—
HB 120, page 106

SUPERNUMERARY CIRCUIT CLERK

See: CIRCUIT CLERK, SUPERNUMERARY

SUPERNUMERARY CIRCUIT SOLICITOR

See: SOLICITOR, SUPERNUMERARY CIRCUIT

SUPERNUMERARY COURT REPORTER

See: COURT REPORTER, SUPERNUMERARY

SUPERNUMERARY JUDGE OF PROBATE

See: JUDGE OF PROBATE, SUPERNUMERARY

SUPERNUMERARY JUDGES

See: JUDGE, SUPERNUMERARY; JUDGE, SUPERNUMERARY
CIRCUIT; JUSTICES, SUPERNUMERARY

SUPERNUMERARY TAX ASSESSOR

See: TAX ASSESSOR, SUPERNUMERARY

SUPERNUMERARY TAX COLLECTOR

SEE: TAX COLLECTOR, SUPERNUMERARY

SUPREME COURT, STATE

Appeals from decrees affecting custody of children, time limitation for—

SB 104, pages 33, 200, 348, 1863, 1896, 2132

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Certifications of questions of unresolved state law by federal courts for answer by—

HB 672, pages 792, 1028

Children, time limitation for appeals from decrees affecting custody of—

HB 226, pages 210, 1029

Contempt of court, appeals from judgments for—

SB 567, page 1079

HB 834, pages 1148, 1344, 2116, 2131

Justices, election, qualifications, and term of office—

SB 294, page 302

Justices, selection and tenure, CA—

SB 293, pages 302, 365

Questioning opinion on Senate Bill 133

SR 15, pages 154, 300

Requesting advisory opinion on Senate Bill 216—

SR 29, pages 269, 1917

Writs of error coram nobis, mode of procedure in bringing of—

HB 605, pages 1237, 1342

SUPREME COURT, UNITED STATES

Certifications of questions of unresolved state law for answer by the state supreme court—

HB 672, pages 792, 1028

SURPLUS COMMODITIES

Counties 24,500 to 24,550 population, storage and distribution of—

HB 510, page 390

Penalty for false representation of—

SB 108, pages 34, 54, 349, 1863, 1896, 2133

SUTTON, ROBERT E., SR.

Congratulated on retirement of—

HJR 133, pages 1323, 1547

SWEET WATER, TOWN OF

Boundaries altered—

HB 1253, pages 1655, 1697, 1852, 1963

SWINE

Abusive treatment of, prohibited—

SB 426, page 619

SYLACAUGA, CITY OF

Boundaries altered—

HB 953, pages 928, 970, 1064, 1206

SB 450, pages 688, 964, 1045, 1366, 1429, 1679

TALLADEGA COLLEGE

Appropriation, construction of chapel on campus of—

SB 151, page 77

TALLADEGA COUNTY

Ad valorem tax in school district one, providing for levy of, CA—

HB 1076, pages 1182, 1360, 1682, 1891

SB 506, pages 915, 970, 1064, 1367, 1430, 1680

Childersburg, city of, boundaries altered—

HB 798, pages 639, 697, 737, 941

SB 419, pages 584, 693, 729, 1155, 1219, 1450, 1477

Coroner, expense allowance—

HB 796, pages 644, 697, 737, 941

Court of county commissioners, compensation and expense allowance for members of—

SB 421, pages 586, 693, 730, 1178, 1219, 1450

Fishing, regulated—

HB 177, pages 138, 692, 728, 938

Judges, circuit, expense allowance for—

SB 406, pages 570, 693, 729, 1155, 1218, 1450

Sheriff, compensation—

HB 797, pages 663, 698, 983

SB 420, pages 586, 693, 730, 1216, 1219, 1451

Solicitor, circuit, expense allowance—

SB 407, page 570, 693, 729, 1155, 1218, 1450

Sylacauga, city of, boundaries altered—

HB 953, pages 928, 970, 1064, 1206

SB 450, pages 688, 964, 1045, 1366, 1429, 1679

TALLAPOOSA COUNTY

Board of education, compensation of members—

SB 17, pages 8, 62, 129, 196, 205, 425

Sheriff, compensation of deputies—

HB 237, pages 147, 237, 290, 458

TARWATER, DOCTOR J. S.

Invited to address legislature—

HJR 17, page 102

TAX ASSESSOR

Autauga County, payment of premium on bond of—

HB 1088, pages 1310, 1504, 1617, 1790

Baldwin County, compensation and clerical assistance—

HB 1090, pages 1536, 1695, 1850, 1960

TAX ASSESSOR (Continued)

Baldwin County, compensation and clerical assistance, CA—
HB 708, pages 552, 718, 994, 1202

Bullock County, compensation and clerical assistance—
HB 527, pages 383, 542, 612, 945

Bullock County, compensation and clerical assistance, CA—
HB 803, pages 791, 822, 1007, 1213

Calhoun County, compensation—
HB 855, pages 752, 820, 1000, 1203

Chambers County, compensation—
HB 909, pages 854, 966, 1051, 1213

Cherokee County, compensation—
HB 1035, pages 1166, 1360, 1631, 1885

Counties 17,400 to 17,800 population, clerical assistance—
HB 507, pages 435, 533, 591, 616
HB 897, pages 765, 819, 996, 1199

Counties 21,850 to 21,950 population, clerical assistance—
HB 1022, pages 1147, 1361, 1605, 1729, 1879

Counties 38,000 to 45,000 population, payment of dues in associations of—
SB 462, pages 691, 825, 1014

Counties 42,000 to 46,000 population, clerical assistance—
HB 962, pages 854, 968, 1055, 1212

Counties 51,000 to 56,000 population, appropriation—
SB 257, pages 229, 267, 444, 1080, 1133, 1243

Counties 115,000 to 165,000 population, relieved of certain duties—
SB 222, pages 208, 239, 289, 550, 569, 617

Counties 300,000 to 600,000 population, determination of ratio percentage used in establishing assessed values from appraised values of property—
HB 1015, pages 1371, 1512, 1640, 1884
SB 509, pages 923, 1036, 1410

Counties 500,000 population or more, nomination and election of—
SB 310, pages 307, 370, 976
SB 313, pages 308, 370, 976
HB 775, pages 642, 696, 736, 940
HB 1030, pages 1147, 1361, 1713, 1885

Counties 600,000 population or more, redemption of land sold for taxes—
HB 1050, pages 1183, 1360, 1843, 1959

Dallas County, compensation—
SB 396, pages 480, 674, 725, 1155, 1218, 1265, 1447, 1450, 1452, 1680

Greene County, compensation and clerical assistance—
HB 762, page 649
SB 329, pages 315, 534, 596, 1367, 1430, 1680

Greene County, compensation and clerical assistance, CA—
HB 268, page 178

TAX ASSESSOR (Continued)

- Jefferson County, appointment of assistant to tax assessor of Bessemer division—
HB 549, pages 497, 694, 732, 938
- Lauderdale County, compensation and clerical assistance—
HB 455, pages 341, 373, 594, 616
- Lauderdale County, compensation and clerical assistance, CA—
HB 454, pages 339, 373, 594, 616
- Limestone County, clerical assistance—
HB 649, pages 514, 823, 1009, 1207
- Madison County, compensation and clerical assistance—
HB 932, pages 1084, 1193, 1422, 1577
SB 483, pages 835, 965, 1049, 1391, 1430, 1680
- Marshall County, expense allowance—
HB 519, page 380, 542, 611, 944
- Mobile County, compensation—
SB 413, pages 572, 693, 979
- Morgan County, compensation—
HB 1153, pages 1283, 1500, 1611, 1788
- Shelby County, compensation and clerical assistance—
HB 333, pages 182, 238, 286, 487, 489
- Shelby County, compensation and clerical assistance, CA—
HB 332, pages 182, 238, 285, 459
- Supernumerary, provided for—
SB 5, page 6
- Tuscaloosa County, compensation—
HB 876, pages 872, 969, 1062, 1204
- Wilcox County, clerical assistance—
SB 369, pages 473, 674, 725, 1154, 1218, 1450
- Winston County, filling vacancy in office of—
HB 195, pages 123, 699, 984, 1200

TAX COLLECTOR

- Autauga County, payment of premium on bond of—
HB 1088, pages 1310, 1504, 1617, 1790
- Baldwin County, compensation and clerical assistance—
HB 1090, pages 1743, 1801, 1971, 1999, 2101
- Baldwin County, compensation and clerical assistance, CA—
HB 708, pages 552, 718, 994, 1202
- Bullock County, compensation and clerical assistance—
HB 527, pages 383, 542, 612, 945
- Bullock County, compensation and clerical assistance, CA—
HB 803, pages 791, 822, 1007, 1213
- Calhoun County, compensation—
HB 853, pages 751, 820, 1001, 1203
- Chambers County, compensation—
HB 909, pages 854, 966, 1051, 1213

TAX COLLECTOR (Continued)

Cherokee County, compensation—

HB 1035, pages 1166, 1360, 1631, 1885

Counties 19,000 to 19,500 population, sending of notices to taxpayers of taxes due—

SB 372, pages 475, 698, 739, 1154, 1218, 1450

Counties 21,850 to 21,950 population, clerical assistance—

HB 1022, pages 1147, 1361, 1605, 1729, 1879

Counties 38,000 to 45,000 population, payment of dues in association of—

SB 462, pages 691, 825, 1014

Counties 42,000 to 46,000 population, clerical assistance—

HB 962, pages 854, 968, 1055, 1212

Counties 51,000 to 56,000 population, appropriation—

HB 1079, pages 1660, 1700, 1732, 1800, 1942, 1975

Counties 76,000 to 96,000 population, redemption of land sold for ad valorem taxes—

HB 904, pages 844, 971, 1066, 1205

Counties 115,000 to 165,000 population, relieved of certain duties—

SB 222, pages 208, 239, 289, 550, 569, 617

Counties 500,000 population or more, election of—

HB 775, pages 642, 696, 736, 940

SB 310, pages 307, 370, 976

SB 313, pages 308, 370, 976

HB 1030, pages 1147, 1361, 1713, 1885

Counties 600,000 population or more, redemption of land sold for taxes—

SB 303, pages 304, 368, 1567

Dallas County, compensation—

SB 396, pages 480, 674, 725, 1155, 1218, 1265, 1447, 1450, 1452, 1680

Greene County, compensation and clerical assistance—

HB 762, page 649

SB 329, pages 315, 534, 596, 1367, 1430, 1680

Greene County, compensation and clerical assistance, CA—

HB 268, page 176

Jefferson County, appointment of assistant to tax collector for Bessemer division—

HB 550, pages 498, 694, 732, 939

Lauderdale County, compensation and clerical assistance—

HB 455, pages 341, 373, 594, 616

Lauderdale County, compensation and clerical assistance, CA—

HB 454, pages 339, 373, 594, 616

Limestone County, clerical assistance—

HB 649, pages 514, 823, 1009, 1207

Madison County, compensation and clerical assistance—

HB 932, pages 1084, 1193, 1422, 1577

SB 483, pages 835, 965, 1049, 1391, 1430, 1680

TAX COLLECTOR (Continued)

- Marshall County, expense allowance—
HB 519, pages 380, 542, 611, 944
- Mobile County, mileage allowance—
HB 135, pages 506, 692, 978, 1198
- Morgan County, compensation—
HB 1152, pages 1281, 1500, 1610, 1788
- Shelby County, compensation and clerical assistance—
HB 333, pages 182, 238, 286, 487, 489
- Shelby County, compensation and clerical assistance, CA—
HB 332, pages 182, 238, 285, 459
- Supernumerary, provided for—
SB 5, page 6
- Tuscaloosa County, compensation—
HB 876, pages 872, 969, 1062, 1204
- Wilcox County, clerical assistance—
SB 369, pages 473, 674, 725, 1154, 1218, 1450
- Winston County, filling vacancy in office of—
HB 195, pages 123, 699, 984, 1200

TAXATION

- Ad valorem tax, assessment of property for taxation, regulated—
SB 246, page 222
- Ad valorem tax, exemption of certain agricultural products stored
in licensed warehouses—
HB 360, pages 636, 885, 1478, 1577
- Ad valorem tax, levied on timber or forest lands—
HB 974, pages 1442, 1465
- Ad valorem tax, levied on timber or forest lands, CA—
HB 975, pages 1442, 1465
- Ad valorem tax, payment of portion of tax by purchasers, lien
holders, or mortgagee of property—
SB 70, pages 23, 1342
- Ad valorem taxes authorized to be levied by cities and towns, rate
of, CA—
SB 57, pages 19, 241
- Agricultural credit associations and organizations, taxation of—
SB 397, pages 481, 887
HB 838, page 1739
- Agricultural machines and equipment, tax levied on persons selling—
HB 57, pages 359, 670, 1241, 1364, 1418, 1429
SB 81, page 25
- Alabama Masonic Home, Jefferson County Community Chest, and
New Hope Industries of Dothan, exemption from—
HB 929, pages 1670, 1802, 2087, 2112, 2125, 2132
- Alcoholic beverages, method for distribution of profits derived from
sale of—
SB 577, page 1144

TAXATION (Continued)

Beer, license fees for retailers of—
HB 368, pages 1669, 1694

Bullock County, collection and enforcement of sales and use taxes levied by—
SB 565, pages 1077, 1195, 1425
HB 1174, pages 1385, 1506, 1621, 1791

Calhoun County, city of Anniston, levy of ad valorem tax for school purposes, CA—
SB 186, pages 135, 235, 273, 549, 568, 617

Chilton County, exemptions, deductions, and exclusions from sales and use taxes—
HB 465, pages 780, 968, 1056, 1211

Cigarette tax, levied—
HB 874, pages 1039, 1346, 2007, 2096, 2114

Cities 70,000 to 120,000 population, authorizing levy of sales and use taxes—
HB 516, pages 379, 700, 986, 1121, 1201
SB 238, pages 220, 251, 293

Counties 19,500 to 20,000 population, repeal of excise taxes—
HB 1046, pages 1179, 1360, 1597, 1786

Counties 110,000 to 160,000 population or more, assessment of property for ad valorem taxes—
HB 1213, pages 1390, 1510, 1636
SB 576, pages 1144, 1357, 1571

Counties 115,000 to 165,000 population, alternate method of assessing and collecting taxes and licenses—
SB 222, pages 208, 239, 289, 550, 569, 617

Counties 300,000 to 600,000 population, determination of ratio percentage used in establishing assessed values from appraised values of property—
HB 1015, pages 1371, 1512, 1640, 1884
SB 509, pages 923, 1036, 1410

Counties 400,000 population or more, exemptions from tax levied on motor fuels—
HB 1053, pages 1184, 1358, 1585, 1593, 1787

Counties 500,000 population or more, lodgings tax levied—
HB 1177, pages 1439, 1503, 1614, 1790

Counties 500,000 population or more, sales and use taxes levied—
HB 482, pages 408, 537, 721, 941, 1313, 1547

Counties 500,000 population or more, tobacco tax levied—
HB 1175, pages 1439, 1501, 1613, 1788

Counties 600,000 population or more, redemption of land sold for taxes—
HB 1050, pages 1183, 1360, 1843, 1959

Counties 600,000 population or more, tax levied on alcoholic beverages—
HB 483, pages 409, 537, 722, 942, 1316, 1548

TAXATION (Continued)

- Escambia County, sending of notices to taxpayers by mail—
HB 1239, pages 1662, 1697, 1852, 1963
- Forest products severance tax, distribution and use of proceeds—
SB 69, page 23
- Franchise tax on foreign corporations, levy of—
HB 1107, pages 1226, 1351, 2086, 2114
- Franklin County, tax levied on cigars—
HB 1172, pages 1535, 1699, 1861, 1960
- Gasoline tax, distribution of proceeds of—
HB 451, pages 800, 886, 1071, 1208
- Geneva County, town of Slocomb, collection of sales and use taxes levied by—
SB 210, pages 160, 235, 274
- Income tax, allowance of federal income tax as a deduction in computing, CA—
SB 100, pages 27, 126, 248, 1150, 1219, 1451
- Income tax, deductions allowed in computing—
SB 387, pages 479, 918
- Income tax, exempting retirement allowances, pensions, and annuities from—
HB 117, pages 1237, 1347, 1759, 1882
- Income tax, insurance companies authorized to carry electronic and mechanical data processing machines as admitted assets—
SB 275, pages 261, 673
- Income tax, optional standard deduction and deduction of federal income taxes—
HB 323, pages 1741, 1803, 2084, 2113
- Income tax, payment of federal and state tax refunds due decedent—
HB 680, pages 792, 1029
SB 295, pages 303, 671, 1450
- Income tax, standard deduction allowed—
SB 389, pages 480, 918
- Income tax, standard deduction allowed, and limit for filing short form—
SB 388, pages 479, 918
HB 322, pages 1741, 1803, 2084, 2112
- Insurance companies, exemption from taxation of corporate shares of stock of—
SB 274, pages 261, 673, 909, 920, 1231, 1245, 1451
- Jackson County, sales and use taxes levied—
HB 998, pages 1157, 1357, 1590
- Jefferson County, city of Birmingham, authorizing levy of ad valorem tax, CA—
HB 1051, pages 1183, 1358, 1592, 1793
- Lamar County, town of Kennedy, collection of sales and use taxes levied by—
HB 504, pages 390, 541, 610, 944

TAXATION (Continued)

Lee County, city of Auburn, authorizing additional ad valorem taxes,
CA—

HB 1132, pages 1272, 1504, 1615, 1792

Limestone County, exemptions from sales and use taxes—

SB 424, pages 588, 825, 1015, 1366, 1429, 1679

Madison County, distribution of proceeds of cigarette tax—

HB 296, pages 194, 238, 285, 459, 664, 945

HB 961, pages 841, 968, 1055, 1212

SB 484, pages 836, 965, 1050

Perry County, distribution of proceeds of sales and use taxes—

HB 875, pages 800, 970, 1061, 1210

Pickens County, levying sales and use taxes—

HB 169, pages 143, 236, 285, 457, 582, 945

Poll tax, abolished, CA—

SB 13, pages 7, 126

Poll tax, exemptions from, CA—

HB 609, pages 1152, 1345

SB 212, page 163

Production credit associations, method of taxation of—

HB 153, pages 196, 533, 1019, 1203

Sales and use taxes, designating sale of certain property to morticians and undertakers as sales at retail—

HB 323, pages 1741, 1803, 2084, 2113

HB 729, pages 1668, 1694, 1813, 1958

SB 381, pages 479, 919

SB 383, pages 479, 919

Sales and use taxes, exemption of herbicides from—

HB 2, pages 358, 669, 1221, 1266, 1367

SB 89, page 26

Sales and use taxes, maximum rate of, CA—

SB 237, pages 220, 1345

Sales and use taxes, municipal, excluded in computation of state lodgings tax—

HB 218, pages 1226, 1350, 1815, 1956

Sales and use taxes, payment of interest on refunds of—

HB 730, pages 635, 917, 2085, 2114

Sales and use taxes, reciprocal credit allowed on taxes paid other states—

HB 684, pages 636, 917, 2085, 2114

Sales tax, assessment and collection of delinquent or incorrect amounts—

SB 386, pages 479, 919

Sales tax, definition of "sale at wholesale" and "wholesale sale"—

HB 571, pages 1189, 1350, 1816, 1957

Sales tax, exempting certain educational and cultural concerts and productions from—

HB 146, pages 1109, 1315

TAXATION (Continued)

- Sales tax, exempting profit and non-profit hospitals—
SB 126, pages 61, 1349
- Sales tax, exempting school lunches and private schools from—
SB 384, pages 479, 918
- Sales tax, exempting southeastern livestock exposition—
SB 63, page 21
- Sales tax, incorrect payment of, refund of overpayment or payment of deficiency—
SB 386, pages 479, 919
- Sales tax on earth moving and construction equipment, alternate method of paying—
SB 572, pages 1080, 1349, 1566, 1877, 1927, 2133
- Sales tax, statute of limitations under act levying—
HB 594, pages 1670, 1694, 2086, 2113
- Savings and loan associations, levy and collection of recording tax on mortgages applicable to, or paid by—
SB 72, page 72
- Sewing machines, privilege license tax levied on sales of—
SB 92, page 26
- Slot machines, tables, or other such devices requiring federal gaming device stamp, privilege license tax levied on—
HB 671, pages 1148, 1344
- Talladega County, authorizing levy of ad valorem tax in school district one, CA—
HB 1076, pages 1182, 1360, 1682, 1891
SB 506, pages 915, 970, 1064, 1367, 1430, 1680
- Tax assessor, tax collector, and license commissioner, supernumerary, provided for—
SB 5, page 6
- Tuscaloosa County, penalty for failure to make certain reports relative to sales and use tax—
HB 1078, pages 1182, 1513, 1645, 1886
- Use tax, defining "wholesale sale" or "sale at wholesale"—
HB 572, pages 1189, 1350, 1816, 1957
- Use tax, exempting profit and non-profit hospitals—
SB 124, page 60
- Use tax, levied—
HB 227, pages 358, 670, 1365, 1418, 1429
- Use tax, regulating distribution of proceeds—
SB 147, pages 74, 200, 247
- Use tax, use of portion of proceeds for education of deaf children—
SB 561, pages 1028, 1349
- Walker County, city of Jasper, authorizing ad valorem tax for school purposes, CA—
SB 350, pages 428, 534, 597, 746, 807, 828

TAXATION (Continued)

- Winston County, authorizing ad valorem tax for hospital purposes,
CA—
HB 197, pages 126, 372, 451, 489
- Winston County, tobacco tax levied—
HB 1224, pages 1525, 1698, 1856, 1961

TEACHERS

- Coosa County, abolishing teacher tenure—
HB 468, page 522
- Counties 14,400 to 14,900 population, compulsory retirement age for—
HB 348, pages 280, 372, 452, 489
- Greene County, abolishing teacher tenure—
HB 761, page 648
- Retirement system, appropriation—
HB 864, page 1240
SB 366, page 472
- Retirement system, creditable service under—
SB 155, pages 80, 265, 464, 1268, 1368, 1451
- Salaries for, calculating allotments for—
HB 1170, pages 1446, 1560
- School institutes, regulating holding of—
HB 893, pages 1148, 1693

TELEGRAPH COMPANIES

- Telecommunication service, penalty for fraudulently obtaining—
HB 728, pages 1269, 1551, 1816, 1958

TELEPHONE COMPANIES

- Fees for transfer of service from one customer to another charging
of—
SB 29, page 13
- Telecommunication service, penalty for fraudulently obtaining—
HB 728, pages 1269, 1551, 1816, 1958

TELEPHONE OPERATORS, STATE

- Expressing appreciation to—
HJR 169, pages 1828, 1965

TELEPHONE SYSTEMS

- Cullman County, repealing provision for operation by municipalities
within—
HB 354, pages 189, 239, 286, 459

TELEVISION STATIONS

- Counties 600,000 population or more, licensing and operation of
community antenna television facilities—
HB 546, pages 494, 694, 731, 938
SB 312, pages 308, 370, 976

TELEVISION STATIONS (Continued)

Governor, prohibited from using public funds in purchasing time for use of—
SB 354, pages 433, 543, 1513

Legal notices, supplemental method for publication of—
SB 178, pages 131, 268

TENNESSEE RIVER BASIN

Appropriation, survey of mineral, water, and petroleum resources of counties within—
SB 76, pages 24, 671
SB 211, page 163

TENNESSEE VALLEY FAT STOCK SHOW

Appropriation—
SB 4, pages 6, 1030

TENNESSEE VALLEY JUNIOR COLLEGE

"Albert P. Brewer Library Building," designation of—
SJR 74, pages 530, 615

TENTH JUDICIAL CIRCUIT

Judges, appointment and designation of—
HB 793, page 1311

Judges, nomination and election of—
HB 1030, pages 1147, 1361, 1713, 1885

Judgeship, additional, created—
SB 444, page 622

Law libraries, management of, and increase in law library tax—
SB 333, pages 316, 372, 976

Solicitor, nomination and election of—
HB 1030, pages 1147, 1361, 1713, 1885

Solicitors, deputy circuit, additional, appointment and compensation of—
HB 346, pages 279, 367, 449, 489
HB 772, pages 640, 696, 1517, 1649

Solicitors, deputy circuit, appointment and compensation—
HB 346, pages 279, 367, 449, 489
HB 772, pages 640, 696, 1517, 1649

TEXTBOOKS

Alabama institute for deaf and blind, selection of—
HB 1157, pages 1381, 1560
SB 526, pages 953, 1031

Committee created to study distribution of—
HJR 104, page 804

Counties 60,500 to 65,000 population, selection of textbooks by city boards of education—
HB 456, pages 343, 373, 592, 616, 1125, 1240
SB 245, pages 222, 267, 593

TEXTBOOKS (Continued)

Counties 76,000 to 96,000 population, selection of—
HB 13, pages 138, 236, 275, 456, 915, 1197

Counties 96,000 to 106,000 population, selection of—
SB 594, pages 1256, 1504, 1571, 1821, 1838, 1916, 1949, 1986, 2091,
2134
HB 1243, pages 1653, 1696, 1849, 1963

Madison County, selection of—
HB 1138, pages 1275, 1510, 1635, 1887
SB 540, pages 960, 1033, 1396, 1659, 1703, 1915, 1946, 1988, 2095,
2134

THIRTEENTH JUDICIAL CIRCUIT

Family court division, transfer of juvenile cases to adult division of—
HB 1139, pages 1276, 1509, 1623, 1837

Judges, election of—
HB 775, pages 642, 696, 736, 940
SB 310, pages 307, 370, 976

Judges, supernumerary, compensation—
SB 502, pages 897, 966, 1050

Solicitor, compensation of—
HB 1189, pages 1380, 1511, 1637, 1889
SB 563, pages 1028, 1131, 1419

THIRTY-FIFTH JUDICIAL CIRCUIT

Created—
HB 588, pages 149, 1349

THIRTY-FOURTH JUDICIAL CIRCUIT

Created—
HB 203, pages 359, 1559
HB 266, pages 196, 670, 1470, 1576

THIRTY-THIRD JUDICIAL CIRCUIT

Solicitor residing at Geneva, expense allowance—
HB 1173, pages 1381, 1699, 1858, 1960
SB 560, page 1027

TIMBER

Board of registration for foresters, state, appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Fires when emergency drought condition exists, penalty for starting—
SB 77, pages 24, 40, 254

Forest lands, levying ad valorem tax on—
HB 974, pages 1442, 1465

Forest lands, levying ad valorem tax on, CA—
HB 975, pages 1442, 1465

Forest lands, penalty for throwing lighted material on—
SB 87, pages 25, 40, 256

TIMBER (Continued)

Forest projects severance tax, distribution and use of proceeds of—
SB 69, page 23

Forest trees, suppression of infestation and disease in—
SB 85, pages 25, 901

State-owned lands, regulating sale of timber on—
SB 84, pages 25

TOBACCO

“The Unfair Cigarette Sales Act,” repealed—
SB 198, page 159

TOBACCO TAX

Cigarettes, tax levied on—
HB 874, pages 1039, 1346, 2007, 2096, 2114

Counties 500,000 population or more, levied—
HB 1175, pages 1439, 1501, 1613, 1788

Franklin County, tax levied on cigars—
HB 1172, pages 1535, 1699, 1861, 1960

Madison County, distribution of proceeds of cigarette tax—
HB 296, pages 194, 238, 285, 459, 664, 945
HB 961, pages 841, 968, 1055, 1212
SB 484, pages 836, 965, 1050

Winston County, levied—
HB 1224, pages 1525, 1698, 1856, 1961

TORTS

Actions on contracts or in tort in which venue is improperly laid,
recovery of damages from plaintiff's attorney—
SB 573, pages 1140, 1341

TOURISTS

Bureau of publicity and information, state, operation of tourist wel-
come centers—
HB 1202, pages 1446, 1914

TOWNS

See: CITIES, GENERAL LAWS: city or town on a population basis;
name of specific city or town

TOXICOLOGIST, STATE

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

TRADE SCHOOLS

Appropriation, supplemental—
HB 720, pages 881, 1031, 1895
SB 355, pages 433, 884, 1072, 1074, 1132, 1135, 1893, 1928, 2133

Committee on educational institutions to study, creation of—
SJR 65, pages 1865, 1933, 2111, 2123, 2135

TRADE SCHOOLS (Continued)

"Ed E. Reid Trade School," designation of—
HJR 137, pages 1340, 1547

Franklin County, establishment of scholarship program for residents of—
HB 378, pages 191, 239, 287, 459

"The Granville Turner Library," designation of—
HJR 198, pages 2117, 2132

Operating statement and consolidated fund balance sheet, filing of—
HB 634, page 1747

TRADING STAMPS

Penalty for selling, issuing, or receiving—
SB 111, pages 34, 1465

TRAILERS

Length of, regulated—
HB 584, pages 1745, 1804, 2115, 2130

Oversized, issuance of permits for movement of—
HB 896, pages 1151, 1552
SB 115, page 45

Requiring inspection of—
SB 172, pages 82, 1465

Size and weight limits, exemptions from—
SB 379, page 478

TRAINS

See also: ALABAMA PUBLIC SERVICE COMMISSION; RAILROADS

Covington County, railroads required to install warning devices at grade crossings—
SB 404, pages 485, 1195, 1567

Employees operating locomotives, trains, and yard engines, qualifications of—
SB 370, page 474

Railroad caboose or rider cars, requiring certain safety equipment on—
SB 371, page 474

TRASH

Penalty for dumping on lands of another—
HB 939, pages 1380, 1805

TREASURER, COUNTY

Counties 500,000 population or more, election of—
HB 775, pages 642, 696, 736, 940
HB 1030, pages 1147, 1361, 1713, 1885
SB 310, pages 307, 370, 976
SB 313, pages 308, 370, 976

Crenshaw County, office restored—
HB 911, pages 845, 966, 1052, 1211

TREASURER, STATE

Appropriation—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Compensation—

HB 402, pages 1311, 1559, 1759, 1883

SB 205, pages 162, 266, 1475

Public funds, qualification of certain lending agencies for deposits of—

SB 474, pages 831, 1559

Succession to office, CA—

SB 101, page 27

TREE SURGEONS

Qualifications, annual permit, and penalty for performing services without permit—

SB 430, page 620

TREES

Fires when an emergency drought condition exists, penalty for setting—

SB 77, pages 24, 40, 254

Infestation and disease of, suppression of—

SB 85, pages 25, 901

Forest products severance tax, distribution and use of proceeds of—

SB 69, page 23

Seed dealers, license fees payable by—

SB 79, pages 24, 243

Timber or forest lands, levying ad valorem tax on—

HB 974, pages 1442, 1465

Timber or forest lands, levying ad valorem tax on, CA—

HB 975, pages 1442, 1465

TRESPASS

Trespass on lands of another, disposition of fines on conviction of—

HB 937, pages 1380, 1805

TRINITY, TOWN OF

Boundaries altered—

HB 522, pages 388, 542, 611, 944

TROY STATE COLLEGE

Operating statement and consolidated fund balance sheet, annual, filing of—

HB 634, page 1747

Speakers at, regulating visitation of—

HB 973, pages 1081, 1264, 1362

SB 431, page 620

SB 443, page 622

TRUCKS

See also: MOTOR VEHICLES; TRAILERS

Gasoline, hours for unloading of—

HB 222, pages 1377, 1464, 1813, 1957

Length of, regulated—

HB 584, pages 1745, 1804, 2115, 2130

License tags, regulating transfer of—

SB 231, pages 219, 544

Lights permissible on, prescribing—

HB 446, pages 1233, 1342, 1951, 1988, 2100

Requiring inspection of—

SB 172, pages 82, 1465

Size and weight limits, exemptions from—

SB 379, page 478

HB 824, pages 1149, 1344

"Vehicle Equipment Safety Compact," adoption of—

HB 642, pages 1233, 1343

Vehicles hauling loose sand, gravel, sawdust, or like substance, required to have load covered to prevent leaking or sifting—

SB 493, page 839

TRUSTS

Fiduciaries, authorizing agreement with taxing authorities in distributing assets of an estate or trust to surviving spouse—

SB 179, page 131

TUBERCULOSIS

Jackson County, establishment of tuberculosis sanatorium—

SB 459, pages 691, 1031, 1392, 1876, 1926, 2133

Tubercular patients, per diem allowance for treatment of—

SB 463, pages 691, 886, 1022, 1467, 1471, 1660

TURKEYS

Wild, regulating hunting of—

SB 86, page 25

HB 32, pages 1232, 1355

Wildlife management areas, special license for hunting deer and wild turkeys on—

HB 693, pages 1150, 1347

TUSCALOOSA, CITY OF

Boundaries altered—

HB 957, pages 871, 967, 1055, 1212

Commission board, compensation of chairman—

SB 457, page 690

Firemen, working hours of—

HB 722, pages 1737, 1803

SB 260, pages 250, 1031

TUSCALOOSA COUNTY

- Beams, Stancil L., relief of—
HB 1024, pages 1118, 1506, 1622, 1792
- Board of equalization, compensation of members—
HB 532, page 384
- Board of registrars, per diem allowances for members of—
HB 418, pages 325, 373, 976, 1196
- Circuit clerk, expense allowance—
HB 1236, pages 1530, 1698, 1857, 1962
- Circuit clerk, providing for administrative consultant to—
HB 1273, pages 1721, 1800, 1940, 1975
- Circuit clerk, tax assessor, and tax collector, compensation—
HB 876, pages 872, 969, 1062, 1204
- Commissioner of licenses, transfer of ownership of motor vehicles—
HB 1025, pages 1105, 1513, 1643, 1885
- Governor appoints members of Civil Service Board, pages 1581, 2122
- Hospital records, introduction of certified copies as evidence—
HB 1267, pages 1719, 1800, 1941, 1976
- Sales and use taxes, penalty for failure to make certain reports relative to—
HB 1078, pages 1182, 1513, 1643, 1886
- Solicitor, circuit, compensation of stenographic secretary to—
SB 168, page 81
- Spencer, Harvey, relief of—
HB 533, pages 630, 718, 993, 1198
- Tuscaloosa, city of, boundaries altered—
HB 957, pages 871, 967, 1055, 1212
- Tuscaloosa, city of, chairman of commission board—
SB 457, page 690
- Tuscaloosa, city of, working hours for firemen—
HB 722, pages 1737, 1803
SB 260, pages 250, 1031
- Tuscaloosa county court created in lieu of inferior court—
HB 741 pages 554, 718, 994, 1198

TUSKEGEE INSTITUTE

- Appropriation, construction of chapel on campus of—
SB 151, page 77

TWELFTH JUDICIAL CIRCUIT

- Court reporters, compensation—
HB 545, pages 526, 701, 743, 818
SB 328, pages 315, 371, 455, 747, 806, 828

TWELFTH JUDICIAL CIRCUIT

- Solicitor, expense allowance—
HB 794, pages 768, 821, 1002, 1209

TWENTY-EIGHTH JUDICIAL CIRCUIT

Judge, appointment and compensation of librarian-secretary—
HB 1093, pages 1373, 1509, 1936

Judge, expense allowance—
HB 849, pages 750, 972, 1069
HB 903, pages 927, 972, 1069, 1399, 1549

TWENTY-NINTH JUDICIAL CIRCUIT

Judge, expense allowance—
SB 406, pages 570, 693, 729, 1155, 1218, 1450

Solicitor, expense allowance—
SB 407, pages 570, 693, 729, 1155, 1218, 1450

TWENTY-SECOND JUDICIAL CIRCUIT

Court reporter, compensation—
HB 256, pages 171, 237, 271, 458
SB 146, pages 72, 127, 274

TWENTY-SEVENTH JUDICIAL CIRCUIT

Court reporter, compensation—
HB 1012, pages 1104, 1191, 1420, 1578

TWENTY-THIRD JUDICIAL CIRCUIT

Judges, circuit, compensation—
SB 348, pages 428, 534, 720, 1154, 1218, 1450

Judgeship, additional, created—
SB 190, page 136
HB 515, pages 379, 671, 1469, 1576

Solicitor, clerical assistance—
HB 828, pages 776, 821, 1002, 1209
SB 361, pages 467, 697, 738

Solicitor, compensation—
HB 826, pages 773, 823, 1007, 1207
SB 363, pages 471, 699, 739

Solicitors, deputy circuit, appointment and compensation—
HB 933, pages 842, 967, 1053, 1211
SB 481, page 834

UNDERTAKERS

Sales tax, sale of certain property to, designated as sale at retail—
HB 328, pages 1668, 1694, 1811, 1822, 1892
SB 383, pages 479, 919

Use tax, sale of certain property to, designated as sale at retail—
SB 381, pages 479, 919
HB 572, pages 1189, 1350, 1816, 1957

UNEMPLOYMENT COMPENSATION

Contributions by employees, repealing provision for—
SB 289, page 302

Contributions paid in error, refund of—
HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547
SB 225, pages 209, 366

UNEMPLOYMENT COMPENSATION (Continued)

Disqualification for—

SB 148, pages 75, 242

Employer, election to come under—

HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547

SB 225, pages 209, 366

Experience ratings, benefits, eligibility and disqualification for benefits, definition of wages, and court review of decisions under—

SB 289, page 302

Experience ratings, benefits, eligibility for benefits, and disqualification for benefits under—

HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547

SB 225, pages 209, 366

Industrial relations, state department of, appointment and compensation of chief of division of employment security—

SB 228, pages 209, 366

Military service, benefits after termination of—

HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547

SB 225, pages 209, 366

Period and termination of employer's coverage under—

HB 685, pages 489, 678, 898, 906, 1073, 1326, 1547

SB 225, pages 209, 366

Trust fund, withdrawals from—

SB 227, pages 209, 366

THE UNFAIR CIGARETTE SALES ACT

Repealed—

SB 198, page 159

UNIFORM COMMERCIAL CODE

Adoption of—

SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, (714), 1863, 1873, 1916

UNIFORM VENDOR AND PURCHASER RISK ACT

Adoption of—

HB 58 pages 1377, 1798

UNITED DAUGHTERS OF THE CONFEDERACY

Commended—

SJR 16, pages 101, 344, 462, 487

UNIVERSITY OF ALABAMA

Appropriation, graduate school for social workers—

HB 864, page 1240

SB 366, page 472

Appropriation, museum fund—

HB 390, pages 1021, 1345, 2011, 2103, 2128

SB 157, page 80

Appropriation, supplemental—

HB 864, page 1240

UNIVERSITY OF ALABAMA (Continued)

Appropriation, university hospital and Hillman clinic—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Dental scholarship-loan and awards program, establishment of—
HB 586, pages 1111, 1349, 1818, 1957
SB 235, pages 220, 266

Huntsville branch, issuance of bonds for construction of school of
medicine at—
SB 265, page 260

Liability insurance for employees of, authorized—
HB 965, pages 1233, 1351

Operating statement and consolidated fund balance sheet, annual,
filing of—
HB 634, page 1747

Speakers at, regulating visitation of—
HB 973, pages 1081, 1264, 1362
SB 431, page 620
SB 443, page 622

UNIVERSITY OF SOUTH ALABAMA

Appropriation—
HB 864, page 1240
SB 366, page 472

Board of trustees, composition of—
SB 279, pages 262, 321, 1482, 1875, 1896, 2133

Governor appoints members of Board of Trustees, pages 2089, 2123

Speakers at, regulating visitation of—
HB 973, pages 1081, 1264, 1362

USE TAX

Bullock County, collection and enforcement of—
SB 565, pages 1077, 1195, 1425
HB 1174, pages 1385, 1506, 1621, 1791

Chilton County, exemptions, deductions, and exclusions from—
HB 465, pages 780, 968, 1056, 1211

Cities 70,000 to 120,000 population, authorizing levy of—
HB 516, pages 379, 700, 986, 1121, 1201
SB 238, pages 220, 251, 293

Contracts, levying use tax on tangible personal property used in per-
formance of—
SB 382, pages 479, 918

Counties 19,500 to 20,000 population, repeal of—
HB 1046, pages 1179, 1360, 1597, 1786

Counties 500,000 population or more, levied—
HB 482, pages 408, 537, 721, 941, 1313, 1547

Geneva County, town of Slocumb, collection of—
SB 201, pages 160, 235, 274

USE TAX (Continued)

Herbicides, exemption from—

HB 2, pages 358, 669, 1221, 1266, 1367

SB 89, page 26

Hospitals, profit or non-profit, exemption from—

SB 125, page 60

Jackson County, levied—

HB 998, pages 1157, 1357, 1590

Lamar County, town of Kennedy, collection of sales and use taxes levied by—

HB 504, pages 390, 541, 610, 944

Levied—

HB 227, pages 358, 670, 1365, 1418, 1429

Limestone County, exemptions from—

SB 424, pages 588, 825, 1015, 1366, 1429, 1679

Morticians and undertakers, designating sale of certain property to, as sale at retail—

SB 381, pages 479, 919

HB 572, pages 1189, 1350, 1816, 1957

Municipal, excluded in computation of state lodgings tax—

HB 218, pages 1226, 1350, 1815, 1956

Perry County, distribution of proceeds of—

HB 875, pages 800, 970, 1061, 1210

Pickens County, levied—

HB 169, pages 143, 236, 285, 457, 582, 945

Proceeds of, regulating use of—

SB 147, pages 74, 200, 247

Rate of, maximum, CA—

SB 237, pages 220, 1345

Refund of, payment of interest on—

HB 730, pages 635, 917, 2085, 2114

Tax paid other states, reciprocal credit allowed on—

HB 684, pages 636, 917, 2085, 2114

Tuscaloosa County, penalty for failure to make certain reports relative to—

HB 1078, pages 1182, 1513, 1643, 1886

Use of proceeds for education of deaf children—

SB 561, pages 1028, 1349

Wholesale sale or sale at wholesale, definition of—

HB 572, pages 1189, 1350, 1816, 1957

VEGETABLE SEED

Seed dealers, license fees payable by—

SB 79, pages 24, 243

VEHICLE EQUIPMENT SAFETY COMPACT

Adoption of—

HB 642, pages 1233, 1343

VEHICLES

See: MOTOR VEHICLES; TRAILERS; TRUCKS

VESSELS

Registered, transfer or termination of ownership in—
SB 16, pages 8, 1039

VETERANS

“Alabama G. I. and Dependents Educational Benefit Act,” prescribing certain requirements under—
HB 338, page 1153

Appropriation to certain educational institutions providing benefits to veterans and their dependents—
SB 160, pages 80, 266, 1365, 2104, 2123, 2134

Confederate, and their widows, appropriation for pensions for—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Sons of Confederate Veterans and United Daughters of the Confederacy, commended—
SJR 16, page 155

World War I, World War II, and Korean conflict, payment of bonus to veterans of—
SB 232, page 219

VETERANS' AFFAIRS, STATE DEPARTMENT OF

Appropriation—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

VETERINARIAN, STATE

Appropriation, bang's disease control—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Appropriation, poultry disease control—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Appropriation, swine disease control—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

VETERINARIANS

Dogs, vaccination against rabies, and confinement of dogs which have bitten human beings—
SB 121, pages 54, 677, 1468, 1875, 1896, 2133

Jury duty, exemption from—
SB 120, pages 50, 200, 351, 1877, 1926, 2133

VICE-PRESIDENT, UNITED STATES

Right to vote on candidates for, provided for—
HB 25, pages 1150, 1345

VINA, TOWN OF

Boundaries altered—
HB 926, pages 879, 967, 1584, 1785

VOTERS

See also: BOARD OF REGISTRARS; ELECTIONS; PRIMARY ELECTIONS; REGISTRATION OF VOTERS; VOTING

Absentee voting by seamen, sailors, and mariners, authorized—
HB 664, pages 1151, 1355, 1817, 1958

Absentee voting by voters enrolled in educational institutions, provided for—
SB 20, pages 10, 888

Absentee voting, regulated—
HB 47, pages 1151, 1353

Autauga County, office space, supplies, and equipment for the board of registrars—
HB 1087, pages 1308, 1504, 1617, 1790

Board of registrars, appointment of—
SB 344, pages 355, 1353

Board of registrars, compensation of members—
SB 134, pages 65, 676
SB 288, page 263

Board of registrars, lieutenant governor designated as member of board of appointment of—
SB 46, pages 17, 126, 1518, 1734

Board of registrars, meeting times and places for—
SB 486, pages 838, 973

Board of registrars, office space, equipment, supplies, and clerical assistance for—
HB 118, pages 1082, 1558
SB 98, pages 27, 676, 1514, 2000, 2093, 2134

Butler County, reidentification of—
HB 241, pages 169, 237, 284, 458

Challenge of, providing for and regulating—
SB 482, pages 835, 973

Coffee County, board of registrars relieved of duty of visiting precincts—
SB 578, pages 1144, 1357, 1571, 1878, 1927, 2133

Counties 17,400 to 17,800 population, board of registrars relieved of duty of visiting precincts—
HB 1211, pages 1390, 1504, 1682, 1936

Counties 48,020 to 49,750 population, reidentification of—
HB 884, pages 767, 972, 1067, 1204

Counties 110,000 to 160,000 population, compensation of members of board of registrars—
HB 1207, page 1748

Cullman County, expense allowance for members of board of registrars—
HB 1112, pages 1302, 1508, 1626, 1886

VOTERS (Continued)

Escambia County, compensation of members of board of registrars—
HB 992, pages 1096, 1192, 1633, 1885

Escambia County, reidentification of—
HB 1241, pages 1665, 1696, 1849, 1963

Geneva County, compensation of members of board of registrars—
HB 927, pages 927, 971, 1064, 1205

Jackson County, reidentification of—
SB 607, pages 1455, 1552, 1684, 1967, 2092, 2134

Lowndes County, times and places for registration of—
HB 560, pages 527, 675, 727, 941

Macon County, per diem allowance for members of board of registrars—
HB 1008, pages 1101, 1195, 1425, 1578

Persons eighteen or over qualified to register and vote—
SB 241, page 221

Persons eighteen or over qualified to register and vote, CA—
SB 240, page 221

Poll tax, abolished, CA—
SB 13, page 7, 126
SB 277, pages 262, 676, 728, 1658, 1701, 1830, 1895, 2133

Poll tax, exemptions from, CA—
HB 609, pages 1152, 1345
SB 212, page 163

Public safety, state department of, report of person convicted of offense causing disqualification for voting—
SB 485, pages 838, 973

Qualifications of—
HB 968, pages 1311, 1695

Registration of, appropriation for—
HB 390, pages 1021, 1345, 2011, 2103, 2128
SB 157, page 80

Voting of straight party ticket in one operation, prohibiting—
HB 386, pages 635, 888

Washington County, expense allowance for members of board of registrars—
HB 185, pages 116, 237, 283, 458

Washington County, purging of registration list—
HB 182, pages 113, 237, 282, 457

VOTING

Absentee, by seamen, sailors, and mariners, authorized—
HB 664, pages 1151, 1355, 1817, 1958

Absentee, by voters enrolled in educational institutions, provided for—
SB 20, pages 10, 888

Absentee, regulated—
HB 47, pages 1151, 1353

VOTING (Continued)

- Challenge of voters, providing for and regulating—
SB 482, pages 835, 973
- Persons eighteen or over qualified to register and vote—
SB 241, page 221
- Persons eighteen or over qualified to register and vote, CA—
SB 240, page 221
- Poll tax, abolished, CA—
SB 13, pages 7, 126
- Poll tax, exemptions from, CA—
HB 609, pages 1152, 1345
SB 212, page 163
- Voting of straight party ticket in one operation, prohibiting—
HB 386, pages 635, 888

VOTING MACHINES

- Counties 300,000 to 500,000 population, regulating use of—
HB 1282, pages 1738, 1801, 1942, 1976
- Greene County, providing for use of—
SB 247, pages 222, 251, 375
- Voting of straight party ticket in one operation, prohibiting—
HB 386, pages 635, 888

WALKER COUNTY

- Action of ejectment to recover real property by purchaser, proceedings in—
SB 598, pages 1253, 1509, 1574, 1821, 1838, 1916
- Board of revenue created in lieu of board of finance and control—
HB 534, page 763
- Comptroller, compensation—
SB 580, page 1145
- Coroner, expense allowance—
HB 566, pages 762, 969, 1058, 1210
- Dora, town of, construction of new schools at—
SJR 39, pages 609, 1672, 1704, 1915
- "East Walker County High School," designation of—
SJR 27, page 257
- Employees of, leaves of absence for—
HB 744, pages 562, 702, 1042, 1213
- Fine and forfeiture fund, payment and retirement of certain claims against—
SB 291, pages 302, 533, 595, 1658, 1700, 1831, 1895, 2133
- "The Gwin High School," designation of—
HJR 94, pages 680, 938
HJR 95, page 679, 938
- Hospital records, introduction of certified copies as evidence—
HB 742, pages 559, 701, 1041, 1212
SB 595, pages 1256, 1507, 1573, 1967, 2092

WALKER COUNTY (Continued)

Jasper, city of, authorizing levy of ad valorem tax for school purposes, CA—

SB 350, pages 428, 534, 597, 746, 807, 828

Judge, circuit, expense allowance—

HB 538, pages 761, 1193, 1936

Judge of probate, clerical assistance—

SB 368, pages 472, 698, 1040

Judge of probate, trial of inquisitions of lunacy—

SB 597, pages 1260, 1507, 1573

Judges, circuit, expense allowance for—

SB 277, pages 262, 676, 728, 1658, 1701, 1830, 1895, 2133

Register, clerical assistance—

HB 743, pages 562, 702, 1041, 1213

Sheriff, compensation of deputies and other assistants to—

HB 537, pages 761, 968, 1057, 1209

Solicitor, circuit, compensation of secretary to—

HB 536, pages 761, 968, 1057, 1209

Solicitor, circuit, expense allowance for—

SB 278, pages 262, 676, 728, 1658, 1701, 1832, 1895, 2133

Sumiton, town of, construction of new school at—

SJR 40, pages 609, 1673, 1704, 1915

Superintendent of education, expense allowance—

HB 539, pages 761, 968, 1058, 1210

Tax assessor, appropriation—

SB 257, pages 229, 267, 444, 1080, 1133, 1243

Tax collector, appropriation—

HB 1079, pages 1660, 1700, 1732, 1800, 1942, 1975

Wills, uncontested, probation of—

SB 596, pages 1258, 1507, 1573, 1967, 2092

WAREHOUSE RECEIPTS

Uniform commercial code, adoption of—

SB 2, pages 5, 232, 424, 438, 442, 463, 544, 546, 702, 705, (714), 1863, 1873, 1916

WAREHOUSES

Licensed, exemption from ad valorem taxes of certain agricultural products stored in—

HB 360, pages 636, 885, 1478, 1577

WASHINGTON COUNTY

Board of education, expense allowance for members of—

HB 541, pages 437, 543, 613, 817

Board of equalization, expense allowance for members of—

HB 186, pages 193, 237, 283, 458

Board of registrars, expense allowance for members of—

HB 185, pages 116, 237, 283, 458

WASHINGTON COUNTY (Continued)

Branch banks, authorized—

HB 540, pages 436, 543, 613, 817

Circuit clerk, expense allowance—

HB 187, pages 117, 237, 283, 458

Court of general sessions, clerical assistance for clerk of—

HB 183, pages 114, 674, 978, 1040, 1080, 1117, 1414, 1682

“The J. Emmett Wood Lake,” designation of—

SJR 22, pages 243, 452, 487, 566

Jury commission, expense allowance for members of—

HB 184, pages 115, 237, 282, 457

Law library, establishment of—

HB 179, pages 109, 236, 281, 457

Millry, town of, boundaries altered—

HB 181, pages 112, 237, 282, 457

Registration list, purging of—

HB 182, pages 113, 237, 282, 457

Superintendent of education, compensation—

HB 180, pages 111, 237, 281, 457

WATER AND WATER COURSES

Elk river watershed, authorizing public corporation for development of, CA—

HB 1020, pages 1105, 1351, 1647, 1891

SB 478, pages 833, 1031

Water management districts, organization of—

SB 364, pages 472, 670, 903, 1865, 1928, 2133

Water management districts, organization of, CA—

SB 365, pages 472, 670, 904, 1877, 1926, 2133

WATER AND WATERWAYS

Alabama-Coosa river improvement association, incorporated, appropriation—

SB 475, pages 831, 1348

HB 891, pages 1444, 1694

Alabama port authority authorized to issue bonds for development and operation of docks, harbors, and seaports—

SJR 51, pages 1220, 1355

Alabama port authority, creation and operation of—

SB 117, page 45

Alabama port authority, creation and operation of, CA—

SB 116, page 45

Boats, regulating change in registration of—

HB 170, pages 634, 1350, 1814, 1957

Coosa and Tennessee river basins, appropriation for survey of water, mineral, and petroleum resources of—

SB 76, pages 24, 671

WATER AND WATERWAYS (Continued)

Elk river development agency, creation of—
HB 1019, pages 1105, 1351, 1646, 1730, 1880
SB 133, pages 65, 154, 300, 917

Pollution of, deploring—
HJR 166, page 1826

Southeast river basin, appointment of member to, and appropriation to, resources advisory board—
HB 95, pages 357, 1195, 2081, 2112

"Vessel," definition of, in registration and licensing of—
SB 15, page 7

Water improvement commission, creation of—
HB 132, pages 715, 1032, 1760, 1784, 1822, 1892
SB 25, page 10
SB 124, page 60

Weiss lake, marking of river channel in—
HB 349, page 1239

WATER AUTHORITIES

State board of health preserved the right to approve source of water furnished by—
HB 1134, pages 1313, 1557, 1952, 1977
SB 118, page 50

WATER CONSERVATION

Director of irrigation, creating office of—
SB 436, pages 621, 1038, 1564, 1998, 2094, 2134

Elk river watershed, authorizing public corporation for development of, CA—
HB 1020, pages 1105, 1351, 1647, 1891
SB 478, pages 833, 1031

Sand Mountain area, creation of agency for development of irrigation districts—
SB 435, pages 621, 1037, 1563, 1997, 2094, 2134

Sand Mountain area, development of irrigation districts, CA—
SB 434, pages 620, 1038, 1565, 2000, 2093, 2134

WATER IMPROVEMENT COMMISSION

Creation of—
HB 132, pages 715, 1032, 1760, 1784, 1822, 1892
SB 25, page 10
SB 124, page 60

WATER MANAGEMENT DISTRICTS

Organization of—
SB 364, pages 472, 670, 903, 1865, 1928, 2133

Organization of, CA—
SB 365, pages 472, 670, 904, 1877, 1926, 2133

WATER SAFETY

"Vessels," definition of—
SB 15, page 7

WATER SYSTEMS

Counties 400,000 population or more, fluoridation of water supplies—
HB 1266, pages 1660, 1696, 1939, 1987, 2100

Water authorities, power of state board of health to approve source
of water furnished by—
SB 118, page 50
HB 1134, pages 1313, 1557, 1952, 1977

Water utility companies, prohibited from charging fees for con-
necting or disconnecting certain equipment—
SB 30, page 14

WATKINS, JOHN

Commended—
HJR 189, pages 1999, 2102

WATSON, SARAH PEARL

Mourning death of—
HJR 178, pages 2004, 2101

WEAKLEY, COLONEL DAVID M.

Extending congratulations to—
HJR 58, pages 362, 461
SJR 31, page 352

WEISS LAKE

River channel in, marking of—
SB 255, page 226
HB 349, page 1239

WELFARE

See: PENSIONS AND SECURITY, STATE DEPARTMENT OF;
PUBLIC WELFARE

WHITE, EDWARD H., II

Commended—
HJR 38, pages 324, 460

WILCOX COUNTY

Circuit clerk, tax assessor, and tax collector, clerical assistance—
SB 369, pages 473, 674, 725, 1154, 1218, 1450

Court of county commissioners, compensation of members—
SB 518, pages 946, 1033, 1395, 1671, 1703, 1915

Court of county commissioners, expense allowance for chairman
of—
SB 520, pages 948, 1033, 1395, 1670, 1703, 1915, 2111

Deer, regulating hunting of—
SB 429, pages 621, 694, 731, 1863, 1897, 2133

Fishing regulated—
SB 428, pages 620, 693, 730
SB 456, pages 690, 718, 992

Sheriff, authorizing additional deputies—
SB 408, pages 571, 674, 726, 1155, 1218, 1450

WILDLIFE

Pesticide residues, harmful, protection from—
HB 1006, pages 1741, 1798
SB 433, page 620

WILLIAMS, PEYTON WARD

Mourning death of—
HJR 123, pages 1122, 1240

WILLS AND ADMINISTRATION

Assets in kind to surviving spouse, regulating distribution of—
SB 180, pages 131, 1348

Counties 600,000 population or more, penalty for not including name and address of person preparing—
HB 1001, pages 1107, 1553, 1712, 1822, 1892

Fiduciaries, authorizing agreement with taxing authorities in distributing assets of an estate or trust to surviving spouse—
SB 179, page 131

Fiduciaries, powers and duties with respect to distribution of property in kind—
SB 564, pages 1077, 1344

Settlement by consent without notice, regulated—
HB 411, pages 629, 920

Tax refunds due decedent, payment of—
HB 680, pages 792, 1029
SB 295, pages 303, 671, 1450

Walker County, probaton of uncontested wills—
SB 596, pages 1258, 1507, 1573, 1967, 2092

WILSON, L. C.

Marion County, relief of—
HB 298, pages 181, 1558, 1687, 1882

WINSTON COUNTY

Ad valorem tax for hospital purposes, authorizing, CA—
HB 197, pages 126, 372, 451, 489

Baldy, T. A., relief of—
HB 1225, pages 1528, 1698, 1856, 1962

Bear Creek development authority, incorporation of—
HB 449, pages 491, 1886, 1689, 1730, 1879

Bear Creek development authority, incorporation of, CA—
HB 450, pages 493, 887, 1691, 1891

Board of education, election of members by district—
HB 196, pages 124, 533, 595, 624

Board of revenue, election of members, filling of vacancies, and approval of bonds required of members—
HB 193, pages 118, 699, 984, 1200

Circuit court at Haleyville, regulating holding of—
SB 230, pages 217, 267, 447, 628, 679, 716

WINSTON COUNTY (Continued)

County offices, filling vacancies in—
HB 195, pages 123, 699, 984, 1200

Fishing regulated—
HB 960, pages 1106, 1356, 1585

Haleyville, city of, boundaries altered—
HB 238, pages 148, 237, 284, 458

Law and equity court, jurisdiction, and compensation and practice of
law by judge of—
HB 347, pages 279, 372, 452, 488

Roads and bridges, construction, repair, and maintenance of—
HB 194, pages 120, 972, 1069, 1681

Sheriff, authorizing additional deputies—
HB 1226, pages 1529, 1698, 1855, 1962

Special or local laws, approval of, CA—
HB 346, pages 279, 367, 449, 489

Teachers, compulsory retirement age for—
HB 348, pages 280, 372, 452, 489

Tobacco tax, levied—
HB 1224, pages 1525, 1698, 1856, 1961

WITNESSES

Choctaw County, payment of witness fees—
HB 1104, pages 1298, 1505, 1620, 1791

Criminal cases, fees in—
SB 286, pages 263, 669

Equity suits, compelling presentation of books, papers, and other
documents in certain cases—
HB 45, pages 1231, 1343
HB 46, pages 1232, 1343

Limestone County, payment of witness fees—
HB 1133, pages 1272, 1503, 1615, 1790

Person having defective hearing or speech, providing for an inter-
preter for—
HB 591, pages 799, 920, 1911, 1974

WOODLAND, TOWN OF—

Branch bank, authorized—
HB 1156, pages 1369, 1504, 1617, 1791

WORD, W. BEN

Houston County, city of Dothan, relief of—
HB 481, pages 398, 537, 603, 625

WORKMEN'S COMPENSATION LAW

Medical, surgical, and hospital service under—
HB 97, pages 1524, 1693

WORKMEN'S COMPENSATION LAW (Continued)

Pooling of liabilities by employers to become self insurers, provided for—

SB 135, page 65

HB 310, pages 210, 242, 1478, 1499, 1513, 1576

YEMM, DOCTOR WARREN ASHLEY

Mourning death of—

HJR 24, pages 198, 460

ZOE DOBBS DORMITORY

Designation of—

HJR 74, pages 530, 615

ZONING

Cities 70,000 to 130,000 population, membership of planning commission—

SB 559, pages 1027, 1131, 1416, 1728, 1757, 1915

Cities 200,000 to 300,000 population, qualifications of members of planning commission—

HB 725, pages 761, 1362, 1606, 1728, 1879

Shelby County, creation of county planning commission—

HB 952, pages 1112, 1695, 1937, 1987, 2100